TOWN OF LADYSMITH

Celebrate our Present. Embrace our Future. Honour our Past.

REGULAR MEETING
OF THE TOWN OF LADYSMITH COUNCIL
AGENDA
6:00 P.M.

Tuesday, September 7, 2021

This meeting will be held electronically as per Ministerial Order No. M192

Pages

1. CALL TO ORDER

Call to Order 6:00 p.m. in Open Session, in order to retire immediately into Closed Session.

Members of the public are welcome to attend all Open Meetings of Council, but may not attend Closed Meetings.

2. CLOSED SESSION

Recommendation

That, in accordance with section 90(1) of the *Community Charter,* Council retire into closed session in order to consider items related to the following:

- personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality - section 90(1)(a);
- negotiations and related discussions respecting the proposed provision of a municipal service - section 90(1)(k).

3. OPEN MEETING AND ACKNOWLEDGEMENT (7:00 P.M.)

The Town of Ladysmith acknowledges with gratitude that this meeting takes place on the traditional, unceded territory of the Stz'uminus First Nation.

Residents are encouraged to "virtually" attend the meeting by registering here:

https://zoom.us/webinar/register/WN_SXqgv73BS9SaKyS7Pgo_zg

Instructions on how to join the meeting will be sent immediately after you register.

View the livestream on YouTube:
https://www.youtube.com/channel/UCH3qHAExLiW8YrSuJk5R3uA/featured.

4. AGENDA APPROVAL

Recommendation
That Council approve the agenda for this Regular Meeting of Council for September 7, 2021.

5. RISE AND REPORT- Items from Previous Closed Sessions

Item from the Closed Meeting of Council held July 6, 2021:

CE 2021-104

That Council:

1. Direct staff to amend the Town of Ladysmith Street Naming Policy 11-5450-A to include "Anderson" on the approved list of street names, in recognition of the history and contributions to Ladysmith made by the Anderson family; and
2. Rise and report on Recommendation No. 1 once the family has been notified.

6. MINUTES

6.1. Minutes of the Regular Meeting of Council held August 3, 2021 7

Recommendation
That Council approve the minutes of the Regular Meeting of Council held August 3, 2021.

7. PROCLAMATIONS

7.1. Childhood Cancer Awareness Month 13

Mayor Stone has proclaimed September 2021 as Childhood Cancer Awareness Month in the Town of Ladysmith.

8. DEVELOPMENT APPLICATIONS

8.1. Development Variance Permit & Development Permit Applications - 831 - 3rd Avenue 14

Recommendation

That Council:

1. Issue Development Variance Permit 3090-21-09 to allow a coach house in a side yard at 831 - 3rd Avenue;
2. Issue Development Permit 3060-21-11 for a coach house at 831 - 3rd Avenue; and
3. Authorize the Mayor and Corporate Officer to sign Development Variance Permit 3090-21-09.

8.2. Development Variance Permit Application – 220 High St. (Boys & Girls Club) 28

Recommendation

That Council:

1. Issue Development Variance Permit 3090-21-07 to vary the front parcel line setback from 6.0m to 1.2m and to require no additional on-site parking spaces for a building addition at Lot A District Lot 56 Oyster District Plan VIP68919 (220 High Street); and
2. Authorize the Mayor and Corporate Officer to sign Development Variance Permit 3090-21-07.

8.3. Development Variance Permit Application - New Subdivision off Giovando Way 37

Recommendation

That Council, subject to registration of the covenant attached as Attachment B to the staff report dated September 7, 2021, issue Development Variance Permit 3090-21-03 to vary "Town of Ladysmith Zoning Bylaw 2014, No. 1860" as follows:

a. vary section 10.4(4)(a) to increase the maximum gross floor area from 223 square metres to 268 square metres for the purposes of indoor parking for Lots 1, 3-13, 15 and 17, District Lot 97, Oyster District, Plan EPP97865; and

b. vary section 5.12(a)(ii) to vary the requirement to measure height from the average ground elevations on the approved grading plan to allow height to be measured from 58 metres Above Sea Level for Lots 3-11, District Lot 97, Oyster District, Plan EPP97865.

9. COMMITTEE MINUTES

9.1. Community Planning Advisory Committee - August 4, 2021 70

Recommendation
That Council receive for information the minutes of the August 4, 2021 meeting of the Community Planning Advisory Committee.

10. REPORTS

10.1. Permissive Tax Exemptions for the Tax Year 2022 72

Recommendation
That Council direct staff to prepare a 1-year permissive tax exemption bylaw for all properties currently identified in the “Town of Ladysmith 2021 Permissive Tax Exemptions Bylaw 2020, No. 2052” and not include the fully exempt properties on the water parcel tax roll or the sewer parcel tax roll as identified in the staff report dated September 7, 2021.

10.2. Revitalization Tax Exemption Economic Agreement – 902 Ludlow Road 76

Recommendation
That Council authorize the Mayor and Corporate Officer to execute a Revitalization Tax Exemption - Economic Agreement with the property owner(s) of 902 Ludlow Road (which is legally described as Lot A, Plan EPP71248, District Lot 24, Land District 43) as per “Town of Ladysmith Revitalization Tax Exemption – Economic Revitalization Bylaw 2012, No. 1807” as amended.

10.3. Adjustment to Water Billing Account 91

Recommendation
That Council provide a water leak adjustment in the amount of $11,758.45 for billing account #000 1124000.

10.4. Fingerprint Fees for Reclaiming Indigenous Names 93

Recommendation
That Council authorize the use of the Grant in Aid budget to fund the $25 fee charged for fingerprinting for Indigenous people who are reclaiming their traditional name.

10.5. **Poverty Reduction Strategy Final Report** 95

Recommendation
That Council receive the Poverty Reduction Strategy Final Report.

10.6. **210 Dogwood Drive – Retaining Wall Encroachment** 163

Recommendation
That Council direct staff to enter into an encroachment agreement with the owner of 210 Dogwood Drive, that includes conditions as outlined in the staff report dated September 7, 2021, regarding a retaining wall built on Town of Ladysmith property.

11. **BYLAWS**

11.1. **Bylaw No. 2067** 167

Road closure for 1130 Rocky Creek Road

Recommendation
That Council adopt "Road Closure and Dedication Removal Bylaw 2021, No. 2067".

11.2. **Bylaw No. 2086** 170

Fees and charges for the Frank Jameson Community Centre and other Town of Ladysmith recreation facilities

Recommendation
That Council give first, second and third readings to "Community Centre Fees and Charges Bylaw 2021, No. 2086".

11.3. **Bylaw Status Sheet** 192

12. **NEW BUSINESS**

13. QUESTION PERIOD

Residents are encouraged to "virtually" attend the meeting and ask their questions live by registering here:

https://zoom.us/webinar/register/WN_SXqgv73BS9SaKyS7Pgo_zg

Instructions on how to join the meeting will be sent immediately after you register.

Alternately, questions can be submitted via email at info@ladysmith.ca during the meeting.

- Persons wishing to address Council must be Town of Ladysmith residents, non-resident property owners, or operators of a business.
- Individuals must include 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.
- 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.

14. ADJOURNMENT

MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, August 3, 2021
7:00 P.M.
This meeting was held electronically as per Ministerial Order No. M192

Council Members Present:

Mayor Aaron Stone
Councillor Amanda Jacobson
Councillor Rob Johnson
Councillor Tricia McKay
Councillor Duck Paterson
Councillor Marsh Stevens
Councillor Jeff Virtanen

Staff Present:

Allison McCarrick
Erin Anderson
Chris Barfoot
Jake Belobaba
Geoff Goodall
Donna Smith
Ryan Bouma
Colin Bollinger
Christina Hovey
Mike Gregory
Sue Bouma

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1. CALL TO ORDER AND ACKNOWLEDGEMENT

Mayor Stone called this Regular Meeting of Council to order at 7:00 p.m., recognizing with gratitude that it was taking place on the traditional unceded territory of the Stz'uminus People.

2. AGENDA APPROVAL

CS 2021-261
That Council approve the agenda for this Regular Meeting of Council for August 3, 2021.
Motion Carried

3. RISE AND REPORT- Items from Previous Closed Sessions

The following items from the Closed Meeting of Council held June 15, 2021 were reported:

CE 2021-091
That Council:
1. Approve the Water Services Agreement with the Diamond Improvement District for a 5-year term ending June 30, 2026 as presented in the staff report dated June 15, 2021, and authorize the Mayor and Corporate Officer to execute the agreement; and
2. Rise and report on Recommendation No. 1 once the agreement has been signed by both parties.

The following items from the Closed Meeting of Council held July 6, 2021 were reported:

CE 2021-109
That Council:
1. Appoint Jacqueline Huard to the Parks, Recreation & Culture Advisory Committee for a two-year term ending June 30, 2023; and
2. Rise and report on Recommendation No. 1 once the applicant has been notified.

4. MINUTES

4.1 Minutes of the Regular Meeting of Council held July 20, 2021

CS 2021-262
That Council approve the minutes of the Regular Meeting of Council held July 20, 2021.
Motion Carried

Subject to Adoption

5. DELEGATION

5.1 Ladysmith Resources Centre Association 2020 Annual Report Presentation

Vicky Stickwood-Hislop, Board President, provided an update to Council regarding the programs and services offered to the community in 2020, noting that adaptability has been the key to LRCA's success during the COVID-19 pandemic. Ms. Stickwood-Hislop and Karen Laing, Executive Director, responded to Council's questions. Council thanked Ms. Stickwood-Hislop and Ms. Laing for their presentation, and advised that they look forward to receiving more detailed data on LRCA's operations, including their latest audited financial statements and a discussion regarding the temporary shelter at the Islander Hotel.

6. DEVELOPMENT APPLICATIONS

6.1 Development Permit for 336 Belaire Street

CS 2021-263
That Council:

1. Issue Development Permit 3060-21-06 to allow for construction of a four storey commercial and residential building at 336 Belaire Street (Lot 1, District Lot 56, Oyster District, Plan 27861), subject to the provision of a $41,278.50 security bond for landscaping; and
2. Authorize the Mayor and Corporate Officer to sign an encroachment agreement between the Town of Ladysmith and the property owner of 336 Belaire Street, to allow a plaza to extend into the Rigby Place right-of-way.

Motion Carried

7. REPORTS

7.1 Bylaw Contravention (Section 57) Notice on Title for 940 Esplanade Avenue

Delegation:
Phillip Oldridge, representative for the owners, advised Council that the renovations completed at 940 Esplanade Avenue involved the replacement of existing structures (roof, plumbing, kitchen and windows - with the exception of one window) and therefore, in his and the owners' opinion, no building permits were required for the work done.

Subject to Adoption

CS 2021-264
That Council direct the Corporate Officer to file notice of a Building Regulation Contravention at the Land Title Office under section 57 of the *Community Charter* for the property located at 940 Esplanade Avenue, legally described as Lot A, District Lot 24, Oyster District, Plan EPP66976.
Motion Carried

7.2 2022-2026 Financial Plan Discussions

CS 2021-265
That Council approve the following schedule to discuss the 2022-2026 Financial Plan:

- November 2, 2021: Overview of Operating Budget;
- November 9, 2021 (Special Council): Detail review of sewer & water budgets;
- November 16, 2021: Complete sewer & water budgets; introduce Capital Projects;
- November 30, 2021 (Special Council): Introduction of water & sewer rates bylaws; complete capital projects; and
- December 7, 2021: Anticipated approval of water & sewer rates bylaws and early budget approval of select capital projects.

Motion Carried

7.3 Request for Noise Bylaw Exemption - 107 Rollie Rose Drive (Westmark Construction Ltd.)

CS 2021-266
That Council:

1. Grant Westmark Construction Ltd. an exemption to Town of Ladysmith "Noise Suppression Bylaw 2003, No. 1478" to permit construction noise at 107 Rollie Rose Drive, until 8:00 p.m. Monday to Thursday, beginning August 9, 2021 until September 30, 2021; and
2. Direct staff to ensure that neighbouring residents receive written notification.

Motion Carried
OPPOSED: Councillors Johnson, McKay and Stevens

Subject to Adoption

8. BYLAWS

8.1 Bylaw No. 2078

CS 2021-267
That Council adopt "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.40) 2021, No.2078".
Motion Carried

9. CORRESPONDENCE

9.1 Rotary Clubs of Ladysmith and Chemainus 11th Annual Charity Golf Tournament

CS 2021-268
That Council allocate $350 to sponsor a hole at the 11th Annual Rotary Charity Golf Tournament on September 25, 2021.
Motion Carried

10. NEW BUSINESS

10.1 Replacements for Councillor Paterson: 2021 Virtual UBCM Convention and MIABC Voting Delegate

CS 2021-269
That Council authorize Councillor Stevens to replace Councillor Paterson as a delegate at the virtual 2021 Union of BC Municipalities Annual Convention to be held September 14-17, 2021.
Motion Carried

CS 2021-270
That Council appoint Councillor McKay as the MIA Voting Delegate (Alternate #2) to replace Councillor Paterson at the virtual 2021 Municipal Insurance Association of BC Annual General Meeting to be held in conjunction with the UBCM Convention.
Motion Carried

Subject to Adoption

11. QUESTION PERIOD

A member of the public enquired about Council's authority to amend a bylaw, and the possibility of providing information sessions or videos to help inform the public about the civic budgeting process.

12. ADJOURNMENT

CS 2021-271
That this Regular Meeting of Council adjourn at 8:36 p.m.
Motion Carried

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (D. Smith)

Subject to Adoption

LADYSMITH

PROCLAMATION

CHILDHOOD CANCER AWARENESS MONTH

WHEREAS: *Childhood Cancer is the number one disease killer of children in Canada, killing more children between the ages of one and twenty than Asthma, Diabetes, Cystic Fibrosis and Aids combined. Every two minutes a child is diagnosed with cancer around the world; and*

WHEREAS: *Every year more than 1700 children are diagnosed with Cancer in Canada, and*

WHEREAS: *Every year in Canada over 300 children under the age of 20 years will lose their lives to cancer, and*

WHEREAS: *Of the children who survive their initial cancer, most will develop lifetime side effects and are much more likely to develop another form of malignant cancer; and*

WHEREAS: *The mental health of children and youth with cancer, including their families, should be paramount, and support, attainable; and*

WHEREAS: *Our children are our most precious resource and are truly valued by all peoples of British Columbia.*

THEREFORE, *I, Aaron Stone, Mayor of the Town of Ladysmith, do hereby proclaim September 2021 as "Childhood Cancer Awareness Month" in the Town of Ladysmith, British Columbia.*

Mayor A. Stone

August 24, 2021

STAFF REPORT TO COUNCIL

Report Prepared By: Julie Thompson, Planner
Reviewed By: Jake Belobaba, Director of Development Services
Meeting Date: September 7, 2021
File No: DVP 21-09 & DP 21-11
Re: **Development Variance Permit & Development Permit Applications for Coach House at 831 3rd Avenue**

RECOMMENDATION:

That Council:

1. Issue Development Variance Permit 3090-21-09 to allow a coach house in a side yard at 831 3rd Avenue;
2. Issue Development Permit 3060-21-11 for a coach house at 831 3rd Avenue; and
3. Authorize the Mayor and Corporate Officer to sign Development Variance Permit 3090-21-09.

EXECUTIVE SUMMARY:

A coach house is proposed in the side yard at 831 3rd Avenue, requiring a variance and a Development Permit. Staff recommend approval of both DVP 3090-21-09 and DP 3060-21-11 as the siting of the proposed coach house is appropriate for the subject property and the coach house is generally consistent with the Development Permit Area 10 – Coach House Intensive Residential guidelines.

Figure 1: Subject property map

PREVIOUS COUNCIL DIRECTION:

N/A

INTRODUCTION/BACKGROUND:

The subject property, 831 3rd Avenue, is located on the corner of French Street and 3rd Avenue, is 999.4m² in size and currently contains one single unit dwelling which is sited in the rear corner of the property adjacent to the lane. An existing accessory building is located next to the dwelling, adjacent to French Street. The applicant is proposing to remove the existing accessory building and construct a single storey coach house along the French Street frontage in the side

yard of the subject property and has provided a letter of rationale (Attachment A). "Town of Ladysmith Zoning Bylaw 2014, No. 1860" only permits coach houses in a rear yard (behind the primary dwelling), therefore a variance is required to allow the proposed siting of the coach house.

ANALYSIS:

The subject property is designated Single Family Residential in "Official Community Plan 2003, No. 1488" and is zoned Old Town Residential (R-2) in Bylaw No. 1860. The proposed coach house use is consistent with the OCP designation and permitted uses in the R-2 zone.

Proposed Variance:

Section 6.5(iv) of Bylaw No. 1860 states that coach houses shall be located in a rear yard. Due to the siting of the primary dwelling at the rear of the subject property, siting the coach house in the rear yard is not possible. As such, DVP 21-09 (Attachment B) would allow the proposed coach house to be sited in the side yard, adjacent to French Street. The proposed siting of the coach house in a side yard is appropriate for the property given the location of the primary dwelling and because the property is on a corner with frontage on both 3rd Avenue and French Street.

Development Permit Area:

The subject property is located within Development Permit Area 10 – Coach House Intensive Residential (DPA 10) and requires issuance of a development permit (DP) prior to construction of a coach house. The proposed coach house has been evaluated for consistency with the DPA 10 guidelines and is generally consistent with the guidelines. Table 1 provides a summary of the guidelines and staff observations. Draft DP 21-11 is attached (Attachment C).

Figure 2: Coach house rendering

Table 1: DPA 10 Guidelines Summary

Guideline Category	Staff Observations
Building Character & Design	• The proposed coach house is single storey and respects the scale of the primary dwelling and other buildings in the vicinity. • The proposed materials on the coach house consist of shingle cement-board exterior cladding. • The coach house has a roof pitch of 8:12 and its single storey design respects the privacy of neighbours.

Guideline Category	Staff Observations
	• Windows in the roof peak area are for light entry only and will not contribute to overlook into neighbouring yards. • There are no upper level balconies.
Accessibility & Livability	• The coach house fronts onto French Street and direct access from the coach house entrance to French Street is provided. • An address signpost for the coach house will be provided on 3rd Avenue and French Street. • The coach house will not be sited on the lane as the primary residence is located in the rear of the property adjacent to the lane. • The space between French Street and the coach house will be permeable and attractively landscaped. • Lighting is provided at the coach house entrance.
Landscaping	• Several existing mature trees are proposed to remain. • A permeable, at-grade, outdoor amenity space for the coach house resident is provided between the coach house and the primary dwelling and is screened from the primary dwelling with landscaping. • Landscaping screens the garbage and recycling area. • Drought tolerant landscaping is proposed. • The proposed parking area for the coach house resident will be permeable.
Energy Conservation, Rain Water Management & Water Conservation	• A rain barrel to capture rain water from the coach house roof is proposed.

Staff recommend that DVP 21-09 and DP 21-11 be approved based on the above analysis.

ALTERNATIVES:

Council can choose to refuse DVP 3090-21-09. DP 3060-21-11 would also need to be refused. The applicant could not reapply for a coach house DP that meets the existing zoning given the current siting of the primary dwelling.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

The *Local Government Act* allows Council to vary zoning regulations excluding regulations of use, density and rental tenure through issuance of a DVP.

If the DP is refused, reasons must be given based on the DPA 10 guidelines since the issuance of a DP is not a completely discretionary decision of Council. However, the current draft DP cannot be approved unless the DVP is also approved since the DP cannot authorize development that is inconsistent with the Zoning Bylaw.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Notice of the proposed variance was issued on August 26, 2021 in accordance with section 499 of the *Local Government Act* and "Town of Ladysmith Development Procedures Bylaw 2008, No. 1667" as amended. The notice was delivered to property owners/residents within 60m of the subject property. At the time of writing, no submissions have been received.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The application has been referred to the Engineering and Building Inspection departments, as well as the Fire Chief. No concerns were noted regarding the proposal.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

☒Complete Community Land Use
☐Green Buildings
☐Innovative Infrastructure
☐Healthy Community
☐ Not Applicable
☐ Low Impact Transportation
☐ Multi-Use Landscapes
☐ Local Food Systems
☐ Local, Diverse Economy

ALIGNMENT WITH STRATEGIC PRIORITIES:

☐Infrastructure
☒Community
☐Waterfront
☐ Economy
☐ Not Applicable

I approve the report and recommendations.

Allison McCarrick, Chief Administrative Officer

ATTACHMENT(S):

A. Applicant Letter of Rationale
B. Draft DVP 3090-21-09
C. Draft DP 3060-21-11

Greenplan
designing with nature

June 11, 2021

Mayor and Council
Town of Ladysmith
Ladysmith, BC

Dear Mayor and Council

Development Variance Permit Application
831 Third Street, Ladysmith, BC

Keene and Jack Anderson of Greenplan on behalf of owners Marie and Colin Jerome are hereby applying for a Development Variance Permit at the above noted address. The owners would like to proceed with the creation of a Coach House on their property, however to proceed they will require a variances to the Ladysmith Zoning Bylaw and specifically clause Section 6.5 b) iv) – Coach house location.

Section 6.5 b) of the Ladysmith Zoning Bylaw states that, "A Coach House Dwelling, where permitted in this Bylaw, shall satisfy all of the following conditions" and that one of those conditions, iv) states' " [a Coach House] shall be located in the rear yard". This is further defined per Bylaw 2014, No.1860 Definition section for Yard, Rear as being to the rear of the "rear face of the Principle Building".

Pursuant to the circumstances of this application, we refer you to the attached BCLS Schedule 1 survey document which illustrates that the primary residence on the site was built at the rear of the subject property to within 1.68m of the rear lot line. While there exists ample property area on the lot for the Coach House and as a corner lot at Third Ave and French Street, there exists alternate options for vehicle access, there is insufficient space to place the Coach House in the rear yard. We are hereby requesting that Council consider this variance to allow the Coach House outside the rear yard area of the subject property.

While the rationale for this variance is based on the original decision to place the main home to the rear of the lot and thereby preventing sufficient area of back yard to accommodate the Coach House, we can explore the implications based on the projected intent of this clause of the Bylaw. Like most Planning Departments, increasing density is important via Coach House options, particularly with social challenges for affordable

housing, and concern is recognized for the projected visual density of the streetscape and thus Coach Houses and equivalent options in other Bylaws contain statements to relegate the smaller secondary suite unit to the rear lane or side access on the property. This is desired as a means to ensure the main home on the lot remains the dominant or Principle Building on the property. In our circumstances, while unable to place the Coach House to the rear of the rear face of the Principle Building, we were able to keep it to the rear of the front face of the Principle Building and directly accessed off of French Street unlike the main residence that is accessed off Third Avenue. We believe this to be the best option for the development of a Coach House on this property while respecting the perceived original intent of the clause to which we seek variance.

On behalf of Marie and Colin Jerome of 831 Third Street, we would appreciate Council's support for this variance request to allow this additional small home on this property.

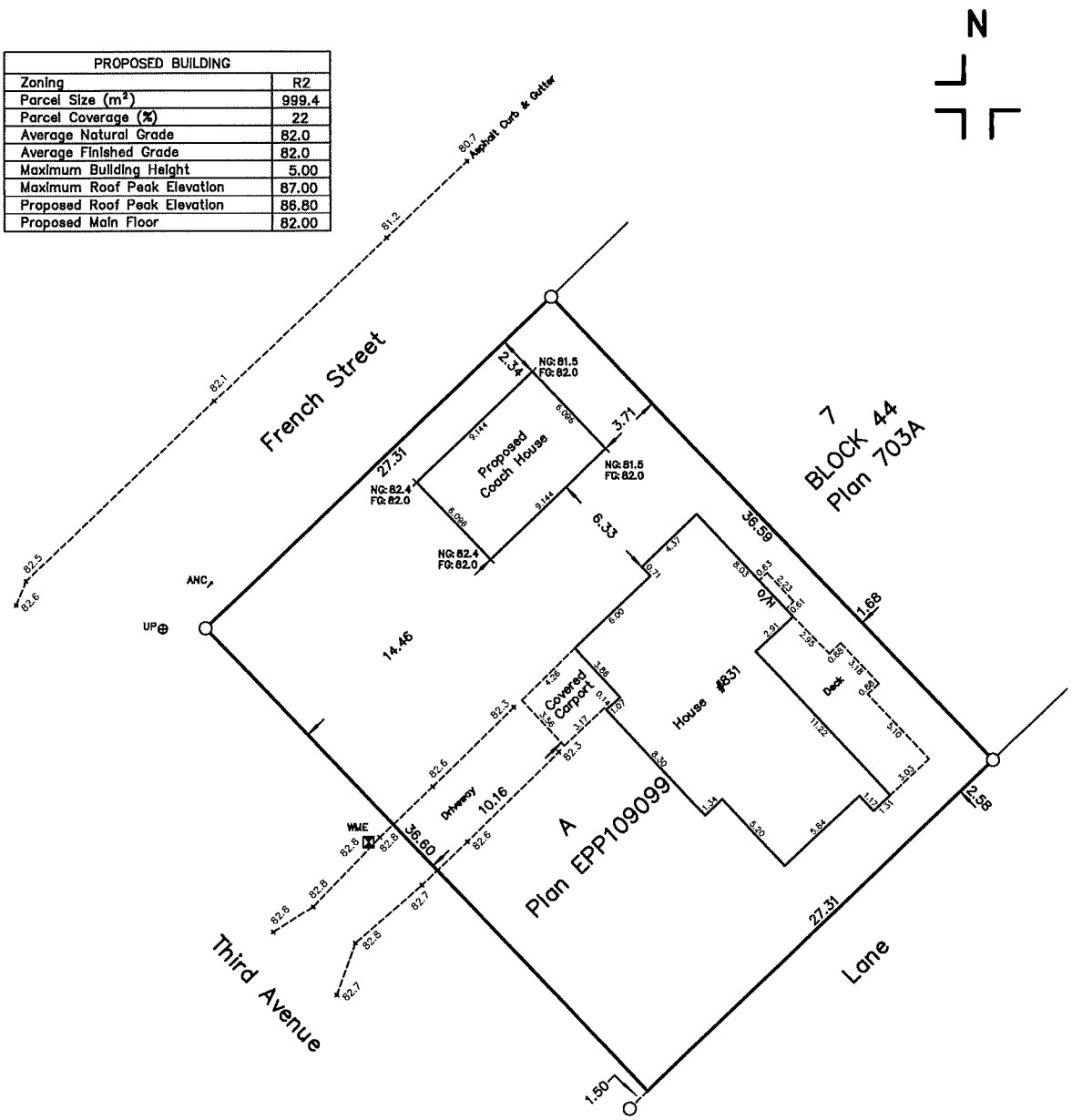
Respectfully

Keene and Jack Anderson
Greenplan, Cedar, BC.

ATTACHMENT A

SITE PLAN SHOWING: LOT A, DISTRICT LOT 56, OYSTER DISTRICT, PLAN EPP109099	Client: MARIE & COLIN JEROME		
	Civic Address: 831 THIRD AVENUE, LADYSMITH		
	File: 16-072-8	Scale: 1:250	Drawn by: DRW	Property Zoning: R2

PROPOSED BUILDING	
Zoning	R2
Parcel Size (m^2)	999.4
Parcel Coverage (%)	22
Average Natural Grade	82.0
Average Finished Grade	82.0
Maximum Building Height	5.00
Maximum Roof Peak Elevation	87.00
Proposed Roof Peak Elevation	86.80
Proposed Main Floor	82.00



Legend

×82.0	Denotes Spot Elevation
⊕ UP	Denotes Utility Pole
T ANC	Denotes Pole Anchor
WME	Denotes Water Meter
	Denotes Deciduous Tree
ø	Denotes Tree Trunk Diameter
○	Denotes Standard Iron Post Set

0 10 20

SCALE 1:250

DISTANCES AND ELEVATIONS ARE IN METRES.

GEODETIC ELEVATIONS ARE DERIVED FROM CONTROL MONUMENT 87H3559 (CVD28BC DATUM).

NOTE:
THE REGISTERED TITLE OF THIS PROPERTY IS AFFECTED BY THE FOLLOWING LEGAL NOTATIONS AND REGISTERED CHARGES, LIENS AND INTERESTS:
M76300.
THIS SITE PLAN DOES NOT VERIFY COMPLIANCE WITH THE ABOVE NOTED DOCUMENTS.

THIS SITE PLAN SHOWS THE RELATIVE LOCATION OF THE EXISTING AND PROPOSED STRUCTURES/IMPROVEMENTS WITH RESPECT TO THE BOUNDARIES OF THE DESCRIBED PARCEL ONLY.

THE SIGNATORY ACCEPTS NO RESPONSIBILITY FOR AND HEREBY DISCLAIM ALL OBLIGATIONS AND LIABILITIES FOR DAMAGES ARISING OUT OF OR IN CONNECTION WITH ANY DIRECT OR INDIRECT USE OR RELIANCE UPON THE SITE PLAN BEYOND ITS INTENDED USE.

Turner & Associates
land surveying
250.753.9778
435 Terminal Avenue North
Nanaimo, BC V9S 4J8
www.turnersurveys.ca

Certified correct this 26th day of May, 2021.

Digitally signed by Matthew Schnurch FXMA33
Date: 2021.05.31 16:10:43 -07'00'

B.C.L.S.

(This document is not valid unless originally signed and sealed.)

TOWN OF LADYSMITH
DEVELOPMENT VARIANCE PERMIT

(Section 498 *Local Government Act)*

FILE NO: 3090-21-09

DATE: September 7, 2021

Name of Owner(s) of Land (Permittee): Colin Stirling Jerome & Maria Luz Jerome

Applicant: Keene Anderson (Greenplan)

Subject Property (Civic Address): 831 Third Avenue

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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 A Block 44 District Lot 56 Oyster District Plan EPP109099
   PID: 031-316-701
   (831 Third Avenue)

3. Section 6.5.iv) "Coach House Regulations" in "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied for the subject property by allowing a *Coach House* to be sited within a *Side Yard* on the subject property, as shown on **Schedule A – Site Plan.**

4. 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.

5. The following plans and specifications are attached:

   a) **Schedule A – Site Plan**

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 or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.

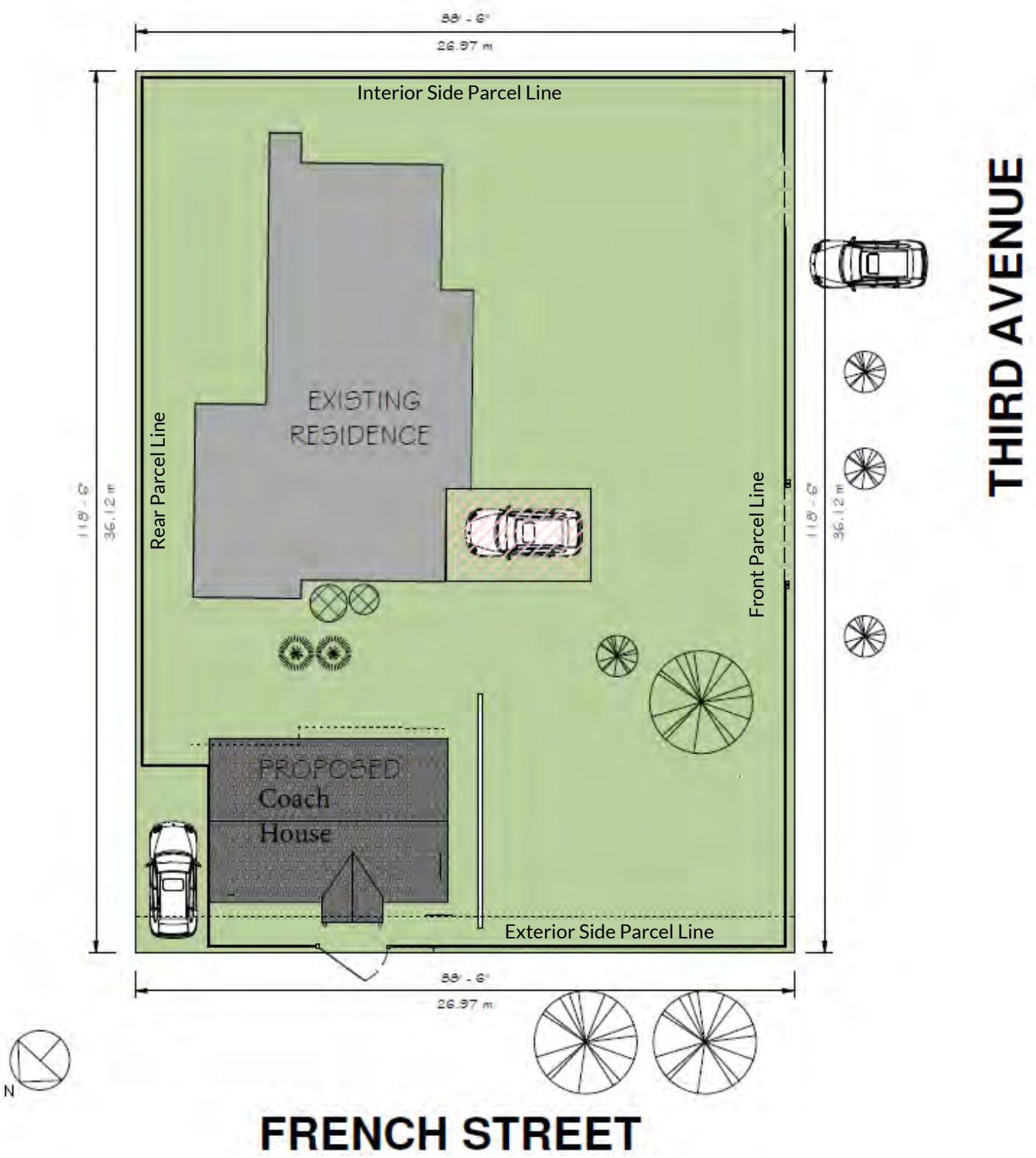
7. THIS PERMIT IS NOT A BUILDING PERMIT. No occupancy permit shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Corporate Officer.

AUTHORIZED BY RESOLUTION NO. _____ PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH ON THE ____ DAY OF _____202__.

_____
Mayor (A. Stone)

_____
Corporate Officer (D. Smith)

DRAFT



Note: Site Plan intended to show location of the coach house within the side yard only.

Schedule A – Site Plan
DVP 3090-21-09
831 3rd Avenue

TOWN OF LADYSMITH DEVELOPMENT PERMIT

(Section 489 *Local Government Act)*

FILE NO: 3060-21-11

DATE: September 7, 2021

Name of Owner(s) of Land (Permittee): Colin Stirling Jerome & Maria Luz Jerome

Applicant: Keene Anderson (Greenplan)

Subject Property (Civic Address): 831 3rd Avenue

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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 A Block 44 District Lot 56 Oyster District Plan EPP109099
   PID: 031-316-701 (831 Third Avenue)
   (referred to as the "Land")

3. This Permit has the effect of authorizing the issuance of a building permit for the construction of a coach house dwelling 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.

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) Construct a single-storey coach house dwelling with a maximum gross floor area of 60m² in accordance with **Schedule A – Elevation Plan.**
   (b) Develop the Land as shown in **Schedule B – Site Plan** to support the coach house, including:
      i. Installation of a rain barrel to capture run-off from the roof of the coach house.

ii. Installation of the coach house address on a signpost or fence at the French Street frontage and the 3rd Avenue frontage,
iii. Installation of exterior lighting on the coach house at the French Street frontage.

6. If the Permittee does not substantially start any construction permitted by this Permit within **two years** of the date of this Permit as established by the authorizing resolution date, this Permit shall lapse.

7. The plans and specifications attached to this Permit are an integral part of this Permit.

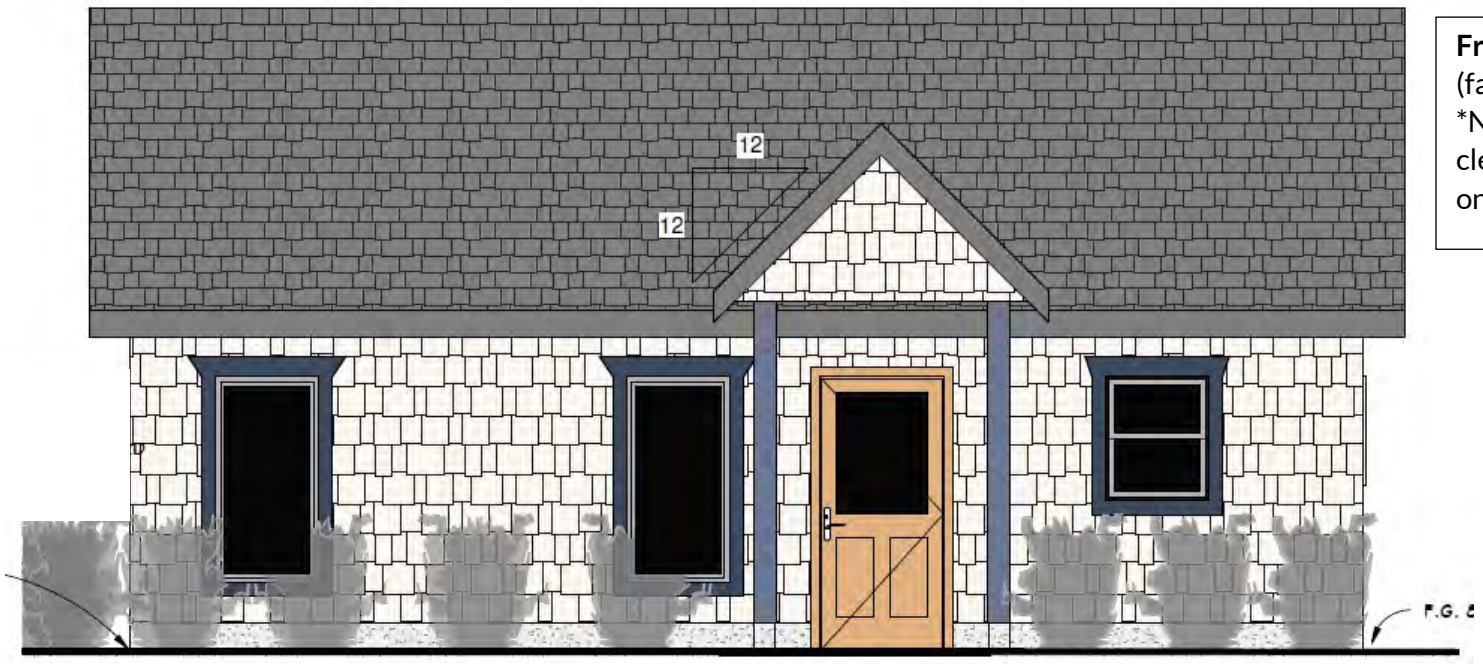
8. Notice of this Permit shall be filed in the Land Title Office at Victoria under s.503 of the *Local Government Act,* and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.

9. This Permit prevails over the provisions of the Bylaw in the event of conflict.

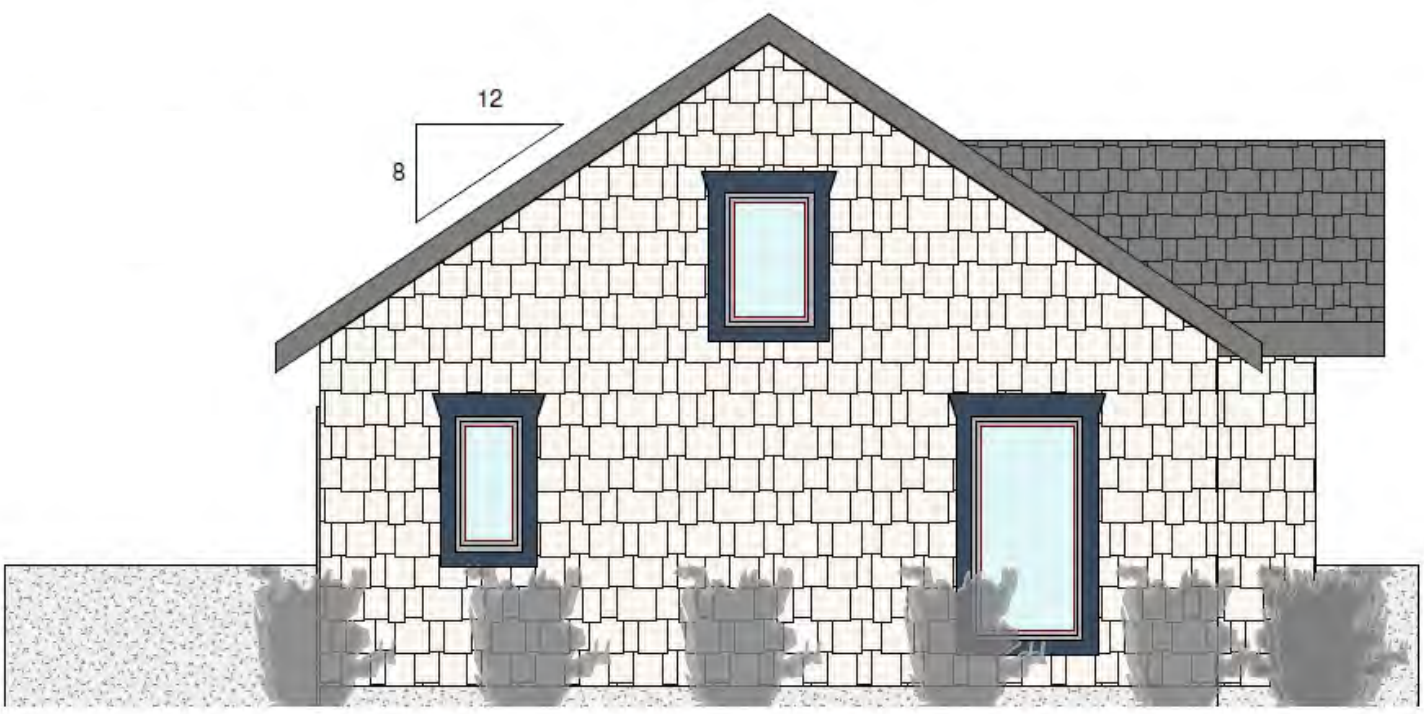
10. Despite issuance of this permit, construction may not start without a Building Permit or other necessary permits.

AUTHORIZED BY RESOLUTION NO. _____ PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH ON THE ____ DAY OF _____202__.

DRAFT

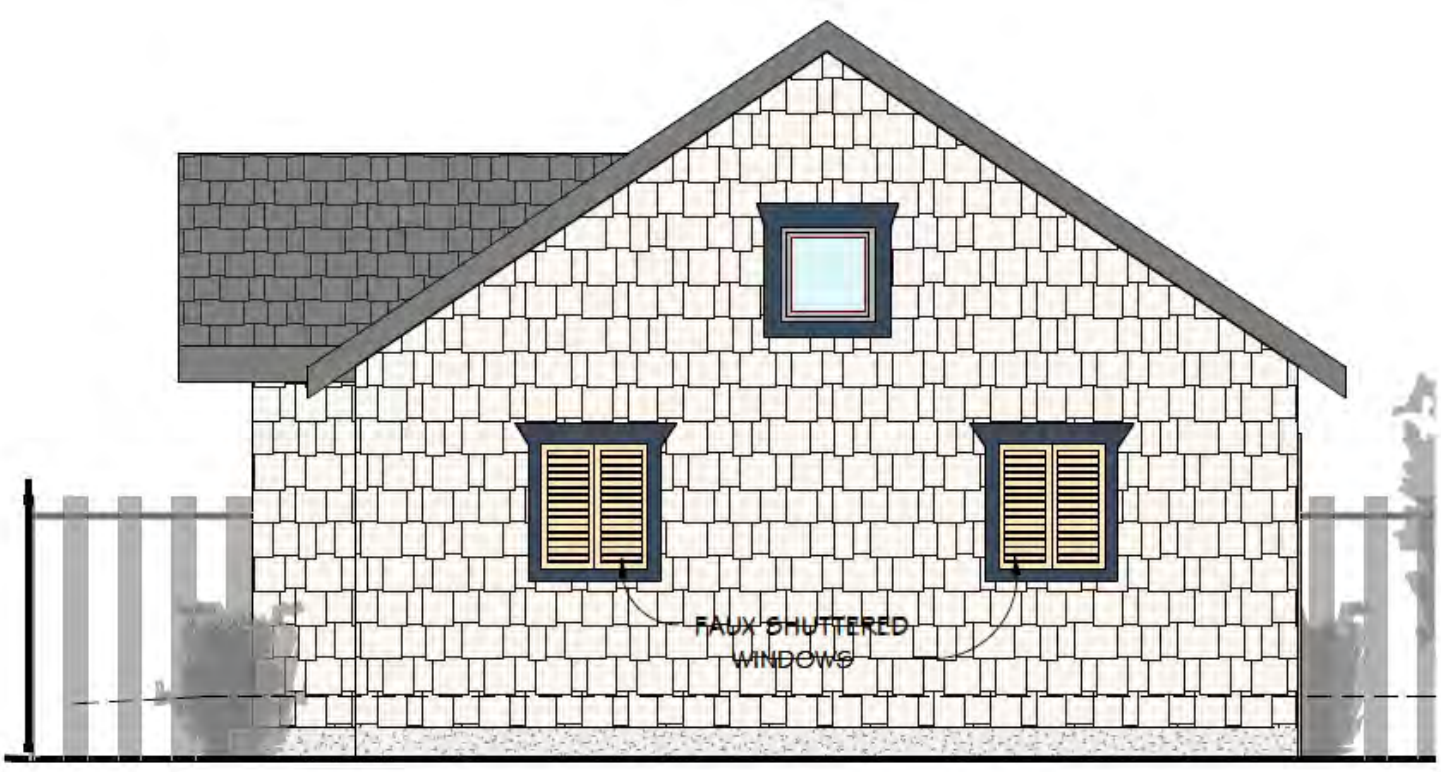


Front Elevation
(facing French Street)
*Note: windows to be clear glass as shown on elevations below.



Left Elevation
(facing neighbouring front yard)

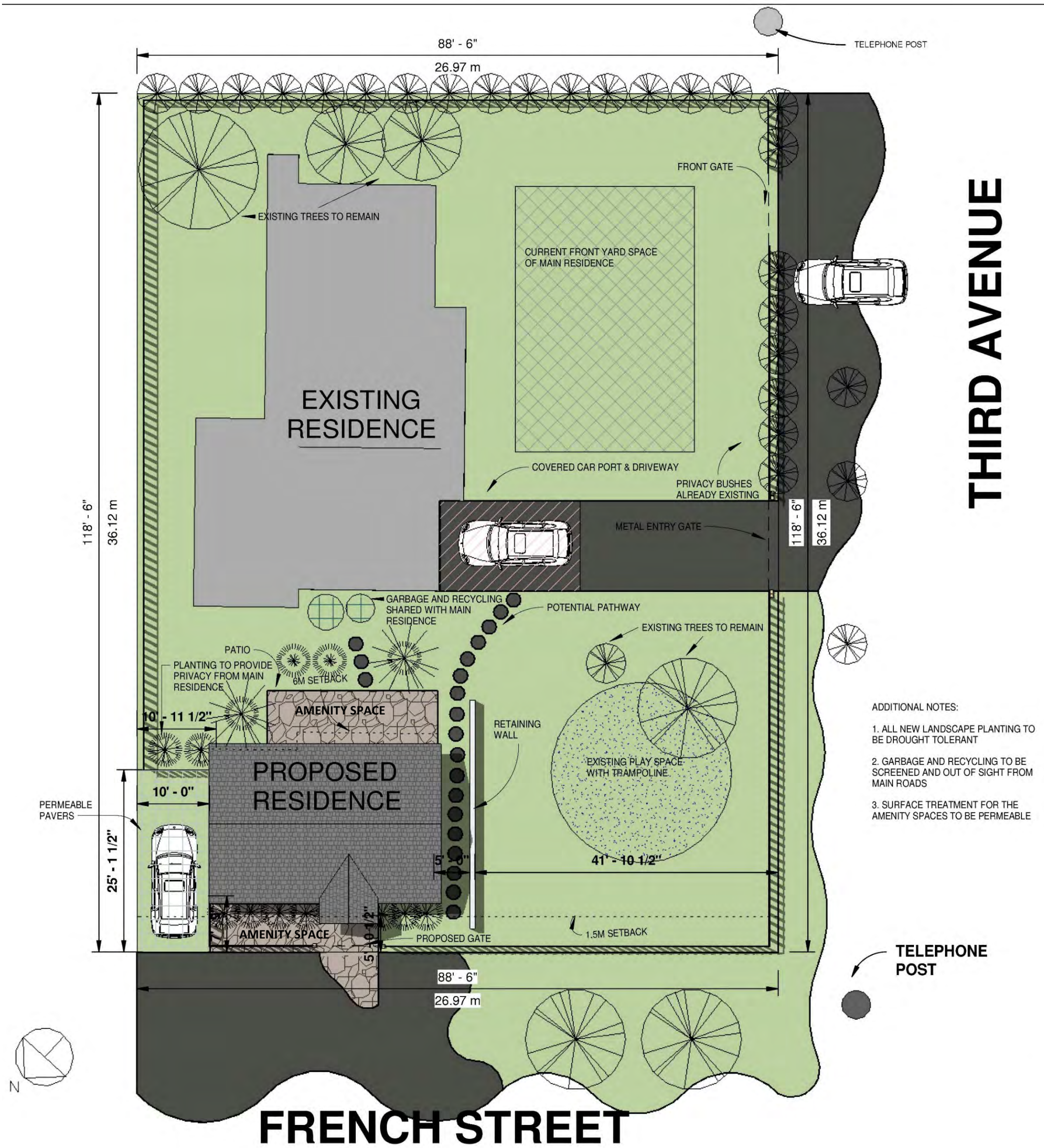
Rear Elevation
(facing principal dwelling)



Right Elevation
(facing 3rd Avenue)

Coach house notes:
- Single storey
- Maximum height – 5.7m
- Maximum gross floor area – 60 m²

Schedule A – Elevation Plan
DVP 3090-21-09
831 3rd Avenue



ADDITIONAL NOTES:

1. ALL NEW LANDSCAPE PLANTING TO BE DROUGHT TOLERANT

2. GARBAGE AND RECYCLING TO BE SCREENED AND OUT OF SIGHT FROM MAIN ROADS

3. SURFACE TREATMENT FOR THE AMENITY SPACES TO BE PERMEABLE

Schedule B – Site Plan
DVP 3090-21-09
831 3rd Avenue

STAFF REPORT TO COUNCIL

Report Prepared By: Julie Thompson, Planner
Reviewed By: Jake Belobaba, Director of Development Services
Meeting Date: September 7, 2021
File No: DVP 3090-21-07
Re: **Development Variance Permit Application – 220 High St. (Boys & Girls Club)**

RECOMMENDATION:

That Council:

1. Issue Development Variance Permit 3090-21-07 to vary the front parcel line setback from 6.0m to 1.2m and to require no additional on-site parking spaces for a building addition at Lot A District Lot 56 Oyster District Plan VIP68919 (220 High Street); and
2. Authorize the Mayor and Corporate Officer to sign Development Variance Permit 3090-21-07.

EXECUTIVE SUMMARY:

A building addition is proposed at the Boys & Girls Club daycare located at 220 High Street, requiring a variance to the front parcel line setback. The proposed Development Variance Permit (DVP) also varies the minimum on-site parking requirements by requiring no additional on-site parking triggered by the building addition and additional employees. Staff recommend approval of DVP 3090-21-07 as the variances are not expected to have a negative impact and additional childcare spaces will benefit the community.

PREVIOUS COUNCIL DIRECTION:

Resolution #	Meeting Date	Council Resolution
2010-352	July 26, 2010	It was moved, seconded and carried that Council approve Development Variance Permit (DVP) 3090-10-03 to vary: 1) the setback regulations for the new community building to be located at 630 2nd Avenue, and 2) the on-site parking requirements for the new community services centre to be located at 630 Second Avenue and 220 High Street and that the Mayor and Corporate Officer be authorized to sign Development Variance Permit 3090-10-03.

INTRODUCTION/BACKGROUND:

The subject property, 220 High Street, currently contains the Boys & Girls Club child care facility and is owned by the Town of Ladysmith. A mix of commercial, single family residential, multi-family residential, and other institutional uses are in the immediate vicinity of the subject property. The Boys & Girls Club is located next to the Ladysmith Resources Centre and Senior's Centre (630 2nd Avenue) but is on a separate property.

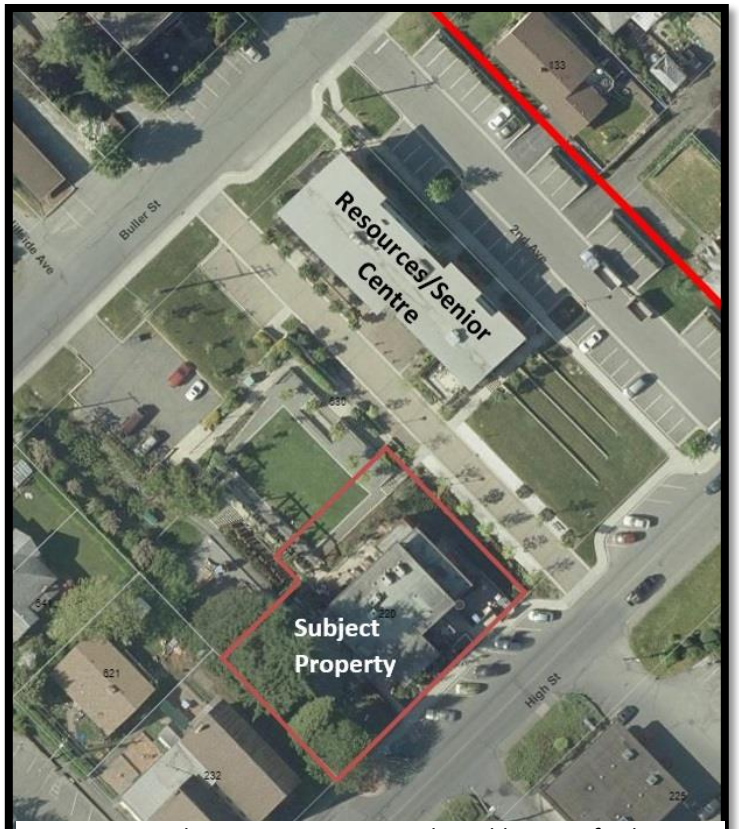


Figure 1: Subject property map and neighbouring facilities.

The Boys & Girls Club is proposing to construct a building addition to accommodate more childcare spaces and is requesting a variance to the front parcel line setback to accommodate the proposed addition. A letter of rationale was submitted by the project architect and is attached to this report (Attachment A). The letter of rationale explains that the proposed site design allows for a continuous outdoor play area and protects a mature Chestnut tree. Note that the rationale letter states the application is to the Board of Variance. The applicant changed the application type to Development Variance Permit. Also note that the required setbacks provided in the letter are incorrect and a variance to the side setback is not required.

Figure 2: Existing building at 220 High Street.

A previously issued DVP (3090-10-03) reduced the number of required parking spaces for the facilities at 630 2nd Avenue and 220 High Street and as such, there is no parking located on the subject property. Since the building addition triggers a requirement for additional parking spaces, another variance to the minimum parking space requirements is also proposed.

DISCUSSION:

The subject property is designated Institutional in "Official Community Plan Bylaw 2003, No. 1488" (OCP) and is zoned Institutional (P-1) in "Town of Ladysmith Zoning Bylaw 2014, No. 1860". The proposal is consistent with the OCP designation and permitted uses in the P-1 zone.

Variance Proposal:

A variance to the minimum front parcel line setback is proposed. Table 1 summarizes the required and proposed setbacks for the proposed building addition. A conceptual design rendering of the addition is shown in Figure 2. Draft DVP 3090-21-07 is attached (Attachment B).

Table 1: Setbacks Summary

Parcel Line	Minimum Setback	Proposed Setback
Front	6.0m	**1.28m*** **Requires variance**
Interior side	3.0m	3.29m
Exterior interior side	3.0m	>3.0m
Rear	3.0m	>3.0m

A variance to the minimum on-site parking requirements is also proposed. Parking for a daycare use is based on the number of employees.[1] Four additional employees are expected as the proposed building addition will be able to accommodate more childcare spaces. DVP 3090-10-03, issued in 2010, allowed a total of 17 "on-site" parking spaces and 48 "off-site" parking spaces to serve all services located at 630 2nd Avenue and 220 High Street. DVP 3090-21-07 is proposed to require no additional parking spaces as the number of parking spaces provided is adequate. The Town has not received any parking complaints in relation to the Resources Centre or the Boys & Girls Club facilities since DVP 10-03 was issued.

Figure 1~~3~~: Conceptual building addition rendering.

[1] The Zoning Bylaw requires 1 parking space per employee plus 2 additional spaces.

Staff recommend that DVP 21-07 be approved as no negative impacts are expected and additional childcare spaces will be a benefit to the community.

ALTERNATIVES:

Council can choose to:

1. Refuse to issue DVP 3090-21-07.
2. Refer the application back to staff for further review, as specified by Council.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

The *Local Government Act* allows Council to vary zoning regulations through issuance of a DVP excluding regulations of use, density and rental tenure.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Notice of the proposed variance was issued on August 26, 2021 in accordance with the requirements of the *Local Government Act* and "Town of Ladysmith Development Procedures Bylaw 2008, No. 1667" as amended. The notice was delivered to property owners/residents within 60m of the subject property. At the time of writing, no submissions have been received.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The application has been referred to the Engineering and Building Inspection departments, as well as the Fire Chief. No concerns were noted regarding the proposal.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

☒Complete Community Land Use
☐Green Buildings
☐Innovative Infrastructure
☒Healthy Community
☐ Not Applicable
☐ Low Impact Transportation
☐ Multi-Use Landscapes
☐ Local Food Systems
☐ Local, Diverse Economy

ALIGNMENT WITH STRATEGIC PRIORITIES:

☐Infrastructure
☒Community
☐Waterfront
☐ Economy
☐ Not Applicable

I approve the report and recommendations.
Allison McCarrick, Chief Administrative Office

ATTACHMENTS:

A. Applicant Rationale Letter
B. Draft DVP 3090-21-07

PHILLIPA ATWOOD ARCHITECT

PHI Architecture Inc

Date	31 May 2021
To	Town of Ladysmith, Planning
Re	Letter of Rationale for Variance Request for 220 High Street
Via	Email

Civic Address: 220 High Street, Ladysmith
Legal Address: Lot A, District Lot 56, Oyster District, Plan VIP68919.

This application to the Board Of Variance is to request a relaxation of the front and side yard setbacks for an addition proposed at the above address. The Boys & Girls Club is the current tenant of the building and is constructing an addition to accommodate more childcare spaces. The variances requested are to locate the new addition within the front and side yard setbacks. We request reduction of the front yard setback to 1.28 meters from 7 meters and reduction of the side yard setback to 3.29 meters from 4.5 meters.

There is undue hardship with compliance to the current setbacks due to the area constraints imposed on the facility by the licensing authority. The Site Plan accompanying this application identifies these constraints.

Shifting the addition closer to the road and the rear yard creates a single open exterior play area that is clearly visible at all times from the indoor spaces. This facilitates supervision of the area for staff. Locating the building wholly within the required set back would divide the play area making it less visible, more difficult to monitor and therefore less useable and less safe. In addition, locating the building at one edge of the site allows the outdoor play area to be even more secure by reducing overlook from pedestrians on the sidewalk. A further constraint on the area available for the addition is the mature Chestnut tree in the southwest corner of the site. The setback reductions will ensure the building footprint does not negatively impact this significant tree.

The exterior play area shown is the minimum area required for licensing. We note that this variance request would mean the setback for the new addition would be the same as the setback of the neighbouring church, directly to the southwest on High Street.

Thank you for your consideration of this request.

Sincerely,

Phillipa Atwood Architect AIBC, MRAIC, LEED AP 5 Little Bear Way Royston BC pippa@patwoodarchitect.ca

TOWN OF LADYSMITH
DEVELOPMENT VARIANCE PERMIT

(Section 498 *Local Government Act)*

FILE NO: 3090-21-07

DATE: September 7, 2021

Name of Owner(s) of Land (Permittee): Town of Ladysmith

Applicant: Jordan Almond (MKM Projects Ltd.)

Subject Property (Civic Address): 220 High Street

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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 A District Lot 56 Oyster District Plan VIP68919 – PID: 024-497-622 (220 High Street)

3. Section 13.1.5.d) "Siting, Sizing and Dimensions of Buildings and Structures" in the "Institutional (P-1)" zone of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied for the subject property by reducing the 6.0 metres *Front Parcel Line Setback* to 1.2 metres.

4. Section 8.2.1 "Calculation of Off-Street Parking Spaces" in "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied such that no additional parking spaces are required.

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 – Site Plan**
   b) **Schedule B – Conceptual Design Renderings**

7. 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 (3090-21-07) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.

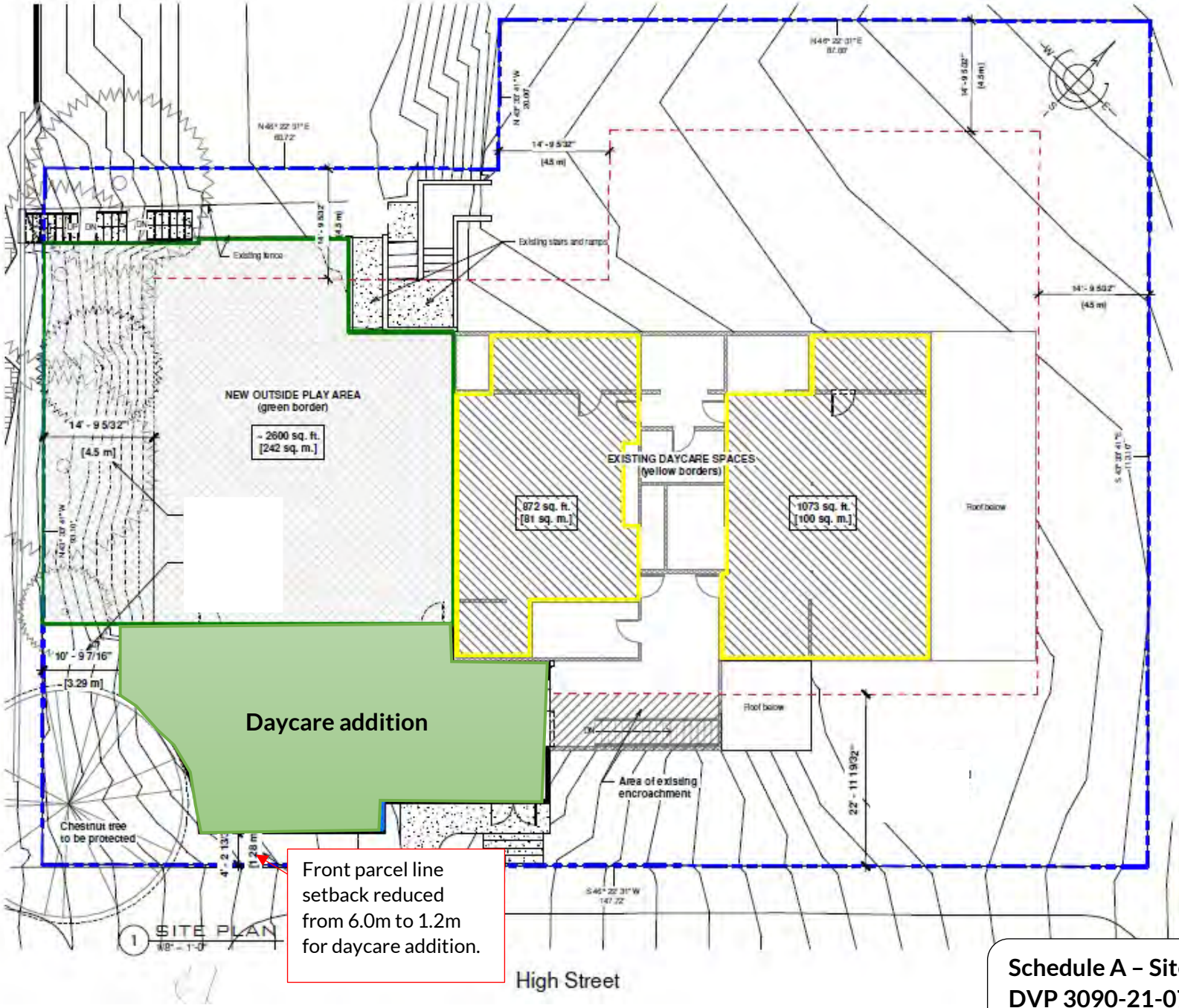
8. THIS PERMIT IS NOT A BUILDING PERMIT. No occupancy permit shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Corporate Officer.

AUTHORIZED BY RESOLUTION NO. _____ PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH ON THE ____ DAY OF _____202__.

_____
Mayor (A. Stone)

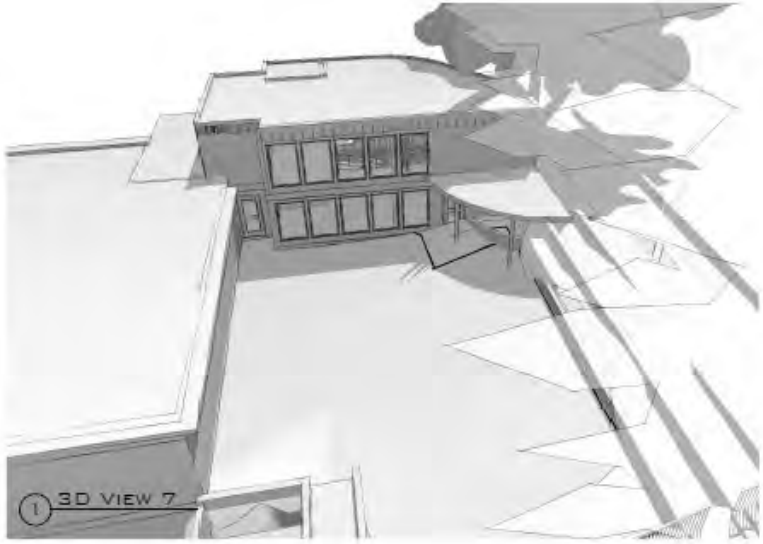
_____
Corporate Officer (D. Smith)

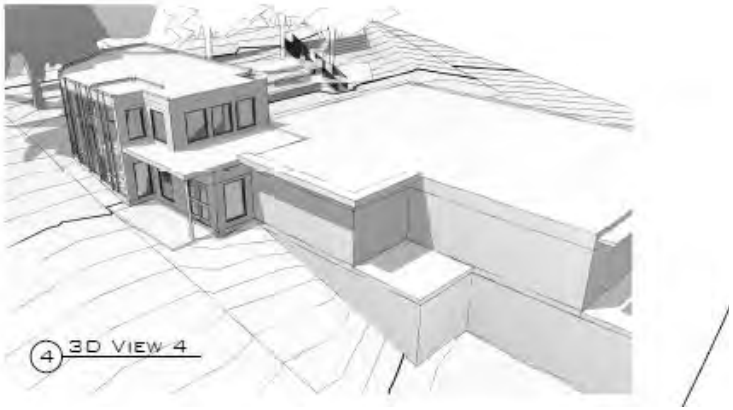
DRAFT



Front parcel line setback reduced from 6.0m to 1.2m for daycare addition.

Schedule A – Site Plan
DVP 3090-21-07
220 High Street





Design renderings of daycare addition are conceptual only. Minor design changes may be required.

Schedule B – Conceptual Design Renderings
DVP 3090-21-07
220 High Street

STAFF REPORT TO COUNCIL

Report Prepared By: Jake Belobaba, Director of Development Services
Reviewed By: Allison McCarrick CAO
Meeting Date: September 7, 2021
File No: 3090-21-03
Re: **Variance to Height and Garage Floor Area**

RECOMMENDATION:

That Council, subject to registration of the covenant attached as Attachment B to the staff report dated September 7, 2021, issue Development Variance Permit 3090-21-03 to vary "Town of Ladysmith Zoning Bylaw 2014, No. 1860" as follows:

a. vary section 10.4(4)(a) to increase the maximum gross floor area from 223 square metres to 268 square metres for the purposes of indoor parking for Lots 1, 3-13, 15 and 17, District Lot 97, Oyster District, Plan EPP97865; and
b. vary section 5.12(a)(ii) to vary the requirement to measure height from the average ground elevations on the approved grading plan to allow height to be measured from 58 metres Above Sea Level for Lots 3-11, District Lot 97, Oyster District, Plan EPP97865.

EXECUTIVE SUMMARY:

The report presents an application for a Development Variance Permit (DVP) to vary the maximum gross floor area for 14 vacant lots in a newly created subdivision off Giovando Way, and to vary height for 9 of the 14 lots. The applicant has agreed to place a covenant requiring homes on the subject properties to be "suite ready" as a condition of the variances.

PREVIOUS COUNCIL DIRECTION:

N/A

INTRODUCTION/BACKGROUND:

The subject properties are zoned Single Dwelling Residential – Small Lot B Zone (R-1-B) and located in a new subdivision (Plan EPP97865) which is accessed from Giovando Way (Figure 1). All of the properties are currently vacant and range in size from 372 to 721.6 square metres.

Section 10.4(4)(a) of "Town of Ladysmith Zoning Bylaw 2014, No. 1860"sets a maximum gross floor area of 223 square metres for homes in the R-1-B zone.

The applicant contacted staff in early 2021 seeking to apply the exemption for indoor parking in 5.14(a)(ii) of Bylaw No. 1860—which applies when calculating *finished floor area* to the subject properties. The applicant's rationale for this interpretation is outlined in Attachment C. Previous amendments to floor area regulations were made in 2017 to remove a restriction for finished floor area. The legal opinion, prepared for the purposes of this report, in Attachment E explains why the finished floor area exemption cannot be applied to the subject properties and why the zoning amendments made in 2017 do not affect this interpretation. In short, it is *gross floor area*, not *finished floor area* that restricts the overall size of floor areas in the R-1-B zone and gross floor area does not exclude indoor parking areas.

Figure 1: Subject Properties

The applicant has indicated that the absence of a floor area exemption for parking, height restrictions, slope and combinations thereof affect the marketability of future units and the viability of suites (see Attachments C and D) and has sought a variance for height and the maximum floor area limit for single family dwellings.

Gross floor area regulations often constitute density regulations and cannot be varied. However, staff obtained legal advice indicating that the gross floor area limit in section 10.4(4)(a) does not function as a density regulation and can be varied in this case (see 'Legal Implications').

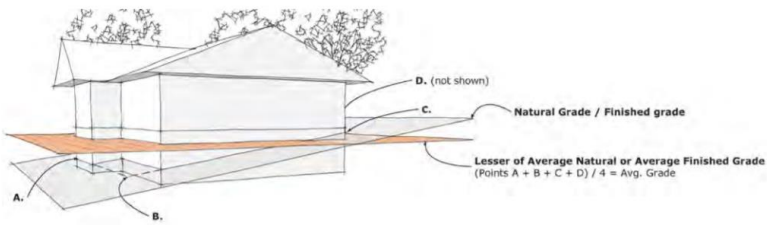
PROPOSAL:

Variances

The proposed DVP (Attachment A) varies the maximum *gross floor area* for homes on the subject properties by 45 square metres, provided the space is used for indoor parking. The variance mirrors the exemption granted under 5.14(a)(ii) of Bylaw No. 1860 to properties regulated by finished floor area that the applicant sought to have applied to the subject properties.

The applicant has also requested a height variance for lots 3-11, which are sloped, that would allow height to be measured from the street level. Under Bylaw No. 1860, height is determined for sloped lots by measuring from an imaginary line equal to the arithmetic mean of the ground elevation where it intersects the corners of the building (the orange line in Figure 2). The proposed variance will set this line at 58 metres above sea level (the approximate elevation of the street) and requires the existing grade to be maintained. Under these requirements the maximum allowable height on lots 3-11 will be 0.5 to 1.5 metres higher than the maximum allowable height under Byaw No. 1860. Attachment F is a rendering illustrating the potential massing of the units and shows potential heights relative to the maximum zoning height. The height variance does not apply to lots 1, 12, 13, 15 and 17, which are flat (see Figure 1).

Figure 2: Measuring Height on Sloped Lots



An Illustration of the Calculation of Average Natural Grade or Average Finished Grade

Proposed covenant as a condition of the DVP:
The applicant has also agreed to a permit condition and covenant requiring homes on the subject properties to be "suite ready". Homes would require all the structural (e.g., emergency egress), safety (e.g. interconnected smoke alarms, fire separation) utility (e.g., electrical and plumbing for kitchen and laundry) and parking requirements for a secondary suite but would not require suite fixtures (e.g., sinks, appliances and cabinetry). Similarly, the covenant does not require homeowners to keep an existing suite; only the wiring, plumbing, structural and safety components needed to add one later. These requirements mean future homeowners can add or remove suites easily when they purchase a home or as their housing needs change.

ANALYSIS:
An increase in height and floor area will have a corresponding increase in the massing (i.e. volume). This means the result of the variance, if approved, will be 14 homes that are larger than they would otherwise be if constructed to the existing zoning requirement (as shown in Attachment F). The proposed DVP does not contain architectural drawings of homes (something Council could require under Alterative 3) meaning property owners will not be bound to specific design. However, no variances have been requested for setbacks or lot coverage, meaning the homes will not be closer to the property line, or have a larger footprint than otherwise allowed under Bylaw No. 1860.

Policy 21 under section 3.2.3 of Land Use Planning and Community Design of the OCP notes that "secondary suites will be permitted within any single family dwelling subject to the conditions and requirements or regulations adopted by Council." and secondary suite is a

permitted use in the R-1-B zone. Suites are an important component of the affordable housing mix and therefore staff are supportive of the proposed variances for three reasons:

1. Although the proposed variances will create increased massing on 14 lots, the increase (45 square metres in gross floor area and 0.5-1.5 metres in height) is relatively minor.

2. The size/mass of the houses remains limited by other zoning provisions which are not being varied, including setbacks and lot coverage.

3. The benefit of securing a covenant that will require suite-ready construction outweighs any drawbacks of the increased massing that will result from the proposed variances.

Overall, staff see the outcome of approving the proposed variances as positive and recommend approval.

ALTERNATIVES:

Council can choose to:

1. Deny issuance of Development Variance Permit 3090-21-03.
2. Amend Development Variance Permit 3090-21-03 and issue the permit as amended.
3. Refer the application back to staff and the applicant for further information and review as specified by Council.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

The proposed variances would not contravene section 498(2)(a) of the *Local Government Act* which prohibits varying use or density. Staff obtained legal advice indicating that the gross floor area limit in section 10.4(4)(a) does not function as a density regulation because: 1) density for single family designations is regulated by units per hectare and 2) the maximum gross floor area regulation in the R-1-B zone is intended to limit home size, not density. Subsequently the prohibition on varying density in section 498(2)(a) of the *Local Government Act* does not apply and the properties are eligible for a variance.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Pursuant to section 499 of the *Local Government Act* and section 11(a) of "Town of Ladysmith Development Procedures Bylaw 2008, No. 1667" as amended, notice of the proposed variances was delivered to all owners and tenants within 60 metres of the subject properties.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The application was referred to the Building and Engineering departments for review. Neither department expressed any concerns related to the application. The proposed covenant has been drafted with input from the Senior Building Inspector to ensure inspectors can verify

compliance with the covenant and BC Building Code when the homes are built or suites are installed.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

☒Complete Community Land Use
☐Green Buildings
☐Innovative Infrastructure
☐Healthy Community
☐ Not Applicable
☐ Low Impact Transportation
☐ Multi-Use Landscapes
☐ Local Food Systems
☐ Local, Diverse Economy

ALIGNMENT WITH STRATEGIC PRIORITIES:

☐Infrastructure
☒Community
☐Waterfront
☐ Economy
☐ Not Applicable

I approve the report and recommendations.

Allison McCarrick, Chief Administrative Officer

ATTACHMENT(S):

A. Draft Development Variance Permit 3090-21-03
B. Proposed Covenant
C. Applicant Rationale for Gross Floor Area Variance
D. Applicant Rationale for Height Variance
E. Legal Interpretation
F. Massing Analysis

TOWN OF LADYSMITH
DEVELOPMENT VARIANCE PERMIT

(Section 498 *Local Government Act)*

FILE NO: 3090-21-03

DATE: September 7, 2021

Name of Owner(s) of Land (Permittee): 518257 B.C. Ltd, Kenneth Bowater & Mia Gallazin, Gordon McIntyre & Margaret McIntyre,

Applicant: Carol Warkentin

Subject Property (Civic Address): 1001, 1009, 1013, 1017, 1021, 1025, 1029, 1033, 1037, 1041, 1006, 1010, 1014 Rozanno Place and 636 Giovando Way.

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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:

   Lots 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15 and 17 District Lot 97, Oyster District, Plan EPP97865
   PIDs: 031-194-567, 031-194-583, 031-194-591, 031-194-605, 031-194-613, 031-194-621, 031-194-630, 031-194-648, 031-194-656, 031-194-664, 031-194-672, 031-194-681, 031-194-702, 031-194-729

   (referred to as the "Land")

3. Section 10.4(4)(a) of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860", is varied for the Land to increase the maximum gross floor area for a single unit dwelling **from** 223 square meters **to** 268 square meters, provided that a minimum of 45 square metres of the building is used for parking purposes.

4. Section 5.12(a)(ii) of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" is varied for **Lots 3, 4, 5, 6, 7, 8, 9, 10, 11** to vary the requirement to measure height for a single dwelling unit from the elevations shown on the approved grading plan to allow building height for a single unit dwelling to be measured from 58 Meters Above Sea Level.

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. All single unit dwellings on the lands shall be designed to accommodate secondary suites, including required parking for secondary suites.

7. The lands shall be developed in accordance with the grading plan, attached as **Schedule A** and all elevations used to calculate height shall be derived from Control Monument 87H3577 (CVD28BC Datum).

8. The following plans and specifications are attached:

    a) **Schedule A – Lot Grading Plan**

9. 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 or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.

10. 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.

AUTHORIZED BY RESOLUTION NO. CS 2021-XXX PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH ON THE 7th DAY OF SEPTEMBER 2021.

_____
Mayor (A. Stone)

_____
Corporate Officer (D. Smith)

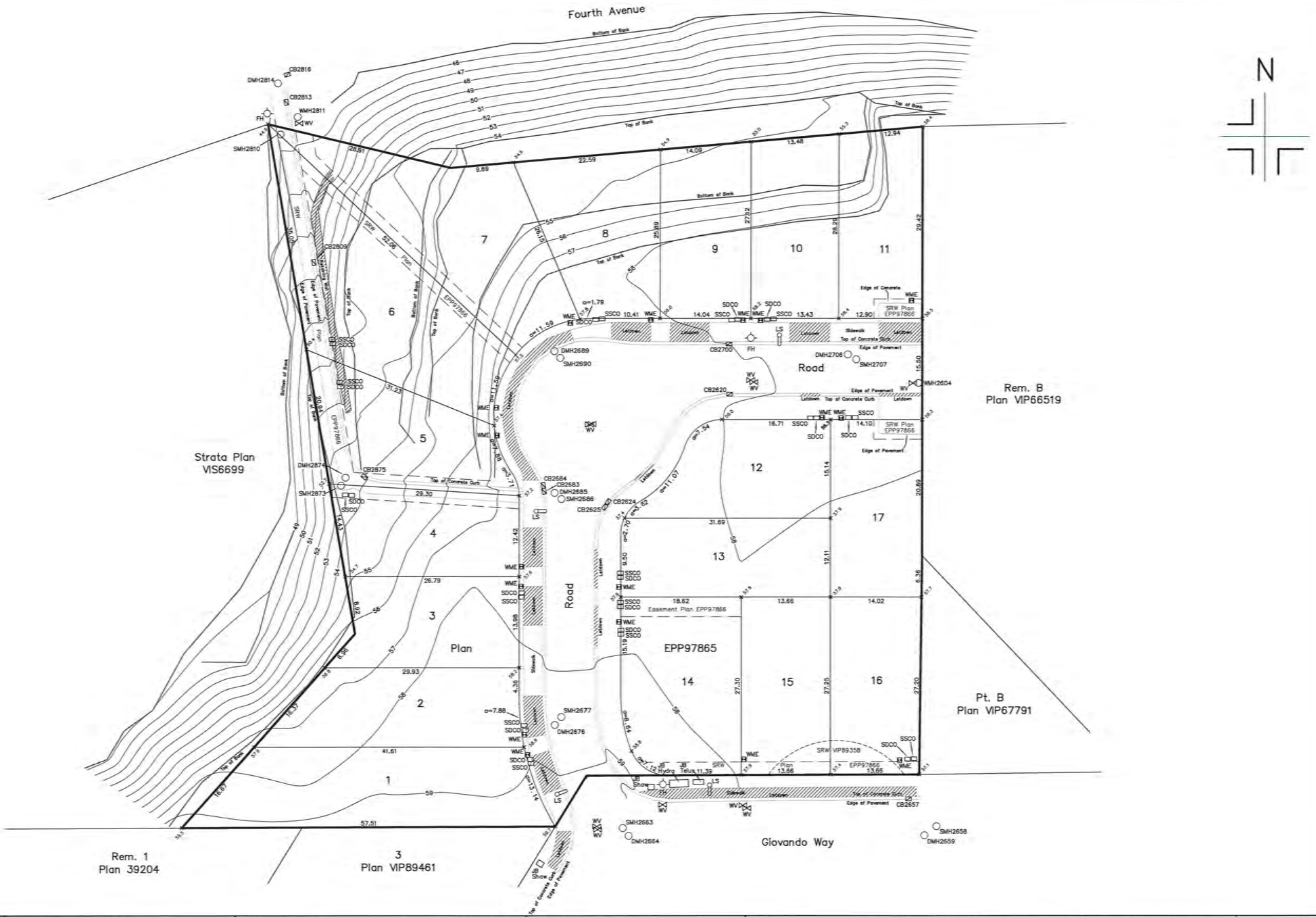
DRAFT

FINAL GRADES APPROVED

THIS ___ DAY OF_____, 2021

_____
APPROVING OFFICER TOWN OF LADYSMITH

RIM ELEVATIONS	
DMH2814	44.95
WMH2811	45.48
SMH2810	45.65
DMH2874	53.61
SMH2873	53.67
WMH2604	58.31
SMH2707	58.24
DMH2706	58.21
DMH2689	57.53
SMH2690	57.60
DMH2685	57.21
SMH2686	57.24
SMH2677	58.51
DMH2676	58.55
SMH2663	59.17
DMH2664	59.22
DMH2659	57.19
SMH2658	57.15
CB2816	44.70
CB2813	45.11
CB2809	48.58
CB2875	53.85
CB2700	57.89
CB2620	57.81
CB2684	57.12
CB2683	57.12
CB2624	57.13
CB2625	57.13
CB2657	57.05



REVISION No.	DATE	BY	REVISION DESCRIPTION
---	JANUARY 6, 2021	DW	FLG – FIRST ISSUE

PROJECT No.	REVISION No.	TOWN OF LADYSMITH FILE No.
17-020	---	3360-17-01

LEGEND

- DENOTES SPOT ELEVATION
- LS DENOTES LAMP STANDARD–EXISTING
- FH DENOTES FIRE HYDRANT–EXISTING
- WV DENOTES WATER VALVE–EXISTING
- CB DENOTES CATCH BASIN–EXISTING
- SMH DENOTES SANITARY SEWER MANHOLE–EXISTING
- DMH DENOTES STORM DRAIN MANHOLE–EXISTING
- WMH DENOTES WATER MANHOLE–EXISTING
- JB DENOTES JUNCTION BOX–EXISTING
- WME DENOTES WATER METER–EXISTING

SITE LEGAL DESCRIPTION:

LOTS 1 THROUGH 17, DISTRICT LOT 97, OYSTER DISTRICT, PLAN EPP97865.

Client: CAROL WARKENTIN

Civic Address: GIOVANDO WAY, LADYSMITH

Property Zoning: R1B

0 10 15 20 25

SCALE 1:300

DISTANCES AND ELEVATIONS ARE IN METRES.

GEODETIC ELEVATIONS ARE DERIVED FROM CONTROL MONUMENT 87H3577 (CVD28BC DATUM).

DRAWING TITLE:

FINAL LOT GRADING PLAN

Certified correct this 6th day of January, 2021.

Digitally signed by Matthew Schnurch KAHUNE
Date: 2021.01.08 09:03:44 -08'00'

B.C.L.S.

(This document is not valid unless originally signed and sealed.)

Turner & Associates
land surveying
250.753.9778
435 Terminal Avenue North
Nanaimo, BC V9S 4J8
www.turnersurveys.ca

TERMS OF INSTRUMENT - PART 2

W H E R E A S:

A. The Transferor is the registered owner in fee-simple of those lands and premises located within the Town of Ladysmith, in the Province of British Columbia, more particularly described as :

[NTD - Insert Legal Description]

(hereinafter referred to as the said "**Lands**");

B. The Transferee is the Town of Ladysmith;

C. The Transferor applied to the Transferee for a development variance permit to vary the height and gross floor area permitted for buildings on the Lands, as per the Zoning Bylaw and has voluntarily offered to enter into this Agreement;

D. Section 219 of the *Land Title Act* provides that a covenant, whether of negative or positive nature, in respect of:

- the use of land or the use of a building on or to be erected on land;
- that land is to be built on in accordance with the covenant;

may be granted in favour of the Transferee and may be registered as a charge against the title to that land; and

E. The Transferor acknowledges that it is in the public interest that the development and use of the Lands be limited and wishes to grant this covenant to the Transferee.

NOW THEREFORE THIS AGREEMENT WITNESSES that under Section 219 of the *Land Title Act*, and in consideration of the premises and the mutual covenants and agreements contained herein, and the sum of ONE ($1.00) DOLLAR of lawful money of Canada now paid to the Transferor by the Transferee (the receipt and sufficiency of which is hereby acknowledged), and for other good and valuable consideration the parties covenant and agree each with the other as follows:

Attachment B

1.0 Definitions

1.1 In this Agreement the following words have the following meanings:

"**Agreement**" means this agreement and all recitals and schedules hereto;

"**Building Code**" means the *British Columbia Building Code 2018* as adopted by the Minister responsible under the *Building Act,* SBC 2015, c. 2 and as may be amended or replaced from time to time;

"**Building Bylaw**" means the *Town of Ladysmith Building and Plumbing Bylaw No. 1119,* as amended or replaced from time to time;

"**Occupancy of the Secondary Suite**" means the occupancy of the Secondary Suite as a self-contained dwelling unit separate from the Single Dwelling Unit.

"**Rough In Specifications**" means certain design specifications in a Single Dwelling Unit that will permit the conversion of a space into a Secondary Suite in accordance with the requirements for plumbing, electrical, egress, soundproofing and fire safety for secondary suites in the Building Code and Building Bylaw including the specifications set out in Schedule "A" and any other specifications to support the conversion to a secondary suite as determined by the Transferee's building inspector in their absolute discretion;

"**Secondary Suite"** means Dwelling, Secondary Suite as defined in the Zoning Bylaw;

"**Single Dwelling Unit**" means Dwelling, Single Unit as defined in the Zoning Bylaw;

"**Zoning Bylaw**" means the *Town of Ladysmith Zoning Bylaw 2014, No. 1860,* as amended or replaced from time to time.

2.0 Secondary Suite

2.1 The Transferor covenants and agrees with the Transferee that it shall not construct on the Lands except in strict accordance with this Agreement.

2.2 The Transferor shall only construct or permit the construction of a Single Dwelling Unit if such construction is in accordance with the Rough In Specifications.

2.3 Without limiting section 2.2, the Transferor acknowledges and agrees the Transferee will not be obligated to approve a building permit application in accordance with the Building Bylaw for a Single Unit Dwelling unless the plans for construction include the Rough In Specifications.

2.4 The Transferor acknowledges and agrees that the terms and conditions of this Agreement do not relieve the Transferor from:

a) obtaining an inspection from the Transferee's building inspector as required by the Building Bylaw prior to Occupancy of the Secondary Suite; and

b) satisfying the requirements for Secondary Suites as set out in the Building Code and Building Bylaw.

3.0 General terms

3.1 The Transferor shall indemnify and save harmless the Transferee and each of its elected officials, officers, directors, and agents, from any and all claims, causes of action, suits, demands, fines, penalties, costs or expenses or legal fees whatsoever which anyone has or may have against the Transferee and each of its elected officials, officers, directors, and agents, or which the Transferee, or each of its elected officials, officers, directors, and agents, incurs as a result of any loss or damage or injury, including economic loss, arising out of or connected with:

a) the breach of any covenant in this Agreement;

b) restrictions or requirements under this Agreement.

3.2 The Transferor hereby releases and forever discharges the Transferee and each of its elected officials, officers, directors, and agents, of and from any claims, causes of action, suits, demands, fines, penalties, costs or expenses or legal fees whatsoever which the Transferor can or may have against the Transferee and each of its elected officials, officers, directors, and agents, for any loss or damage or injury, including economic loss, that the Transferor may sustain or suffer arising out of or connected with:

Attachment B

a) the breach of any covenant in this Agreement;

b) restrictions or requirements under this Agreement.

3.3 The Transferor covenants and agrees that, in addition to any remedies that are available under this Agreement or at law, the Transferee is entitled to all equitable remedies, including specific performance, injunction and declarative relief to enforce its rights under this Agreement. The Transferor acknowledges that specific performance, injunctive relief (mandatory or otherwise) or other equitable relief may be the only adequate remedy for a default by the Transferor under this Agreement.

3.4 At the Transferor's expense, the Transferor must do everything necessary to secure priority of registration and interest for this Agreement and the Section 219 Covenant it creates over all registered and pending charges and encumbrances of a financial nature against the Lands.

3.5 Nothing contained or implied in this Agreement shall prejudice or affect the rights and powers of the Transferee in the exercise of its functions under any public or private statutes, bylaws, orders and regulations, all of which may be fully and effectively exercised in relation to the Proposed Building and the Lands as if the Agreement had not been executed and delivered by the Transferor.

3.6 Time is of the essence of this Agreement.

3.7 The Transferor covenants and agrees for itself, its heirs, executors, successors and assigns, that it will at all times perform and observe the requirements and restrictions set out in this Agreement and they shall be binding upon the Transferor as personal covenants only during the period of its respective ownership of any interest in the Lands.

3.8 It is mutually understood, acknowledged and agreed by the parties hereto that the Transferee has made no representations, covenants, warranties, guarantees, promises or agreements (oral or otherwise) with the Transferor other than those contained in this Agreement.

3.9 The waiver by a party of any breach of this Agreement or failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar, and no waiver shall be effective unless it is in writing signed by both parties.

3.10 Wherever the singular, masculine and neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.

3.11 No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.

3.12 The enforcement of this Agreement shall be entirely within the discretion of the Transferee and the execution and registration of the Agreement against title to the Lands shall not be interpreted as creating any duty on the part of the Transferee to the Transferor or to any other person to enforce any provision of the breach of any provision of this Agreement.

3.13 The restrictions and covenants herein contained shall be covenants running with the Lands and shall be perpetual, and shall continue to bind all of the Lands when subdivided, and shall be registered in the Vancouver Land Title Office pursuant to section 219 of the *Land Title Act* as covenants in favour of the Transferee as a first charge against the Lands.

3.14 The Transferor agrees to execute all other documents and provide all other assurances necessary

Attachment B

to give effect to the covenants contained in this Agreement.

3.15 If any part of this Agreement is found to be illegal or unenforceable, that part will be considered separate and severable and the remaining parts will not be affected thereby and will be enforceable to the fullest extent permitted by law.

3.16 This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

3.17 Wherever the expressions "Transferor" and "Transferee" are used herein, they shall be construed as meaning the plural, feminine or body corporate or politic where the context or the parties so require.

3.18 ******* (the “Chargeholder”), the registered holder of charges by way of a Mortgage ****** against the Lands and registered under Nos. ****** (the "**Charges**") in the Land Title Office at Vancouver, British Columbia, for and in consideration of the sum of One ($1.00) Dollar paid by the Transferee to the said Chargeholder (the receipt whereof is hereby acknowledged), agrees with the Transferee, its successors and assigns, that the within Section 219 Covenant shall be an encumbrance upon the Lands in priority to the Charges in the same manner and to the same effect as if the Section 219 Covenant had been dated and registered prior to the Charges.

The Transferor and Transferee acknowledge that this Agreement has been duly executed and delivered by the parties executing Forms C (pages 1 to 3) attached hereto.

Attachment B

Schedule "A"

Secondary Suite Design Specifications

The rough in specifications are as follows:

1) Plumbing to permit a washroom and laundry room with a separate water shut off valve in the potential Secondary Suite area.
2) Electrical outlets to permit second stove and washer/dryer in the potential Secondary Suite area.
3) Bathroom vent in the potential Secondary Suite area to be roughed in and vented to the outside.
4) Kitchen range in the potential Secondary Suite area to be roughed in and vented to the outside.
5) A ventilation system and heating system for the potential Secondary Suite that is separate from the main dwelling unit.
6) Installation of smoke alarms, carbon monoxide detectors and a photoelectric type smoke alarm that is interconnected to the main dwelling, as may be required by the fire safety requirements of the Building Code.
7) Construction materials including drywall and insulation shall meet the fire safety standards of the Building Code.
8) Exterior exit door must be a swing type door with a door viewer.
9) Egress windows must be installed in the potential Secondary Suite bedrooms.
10) Egress from Secondary Suite shall be constructed in accordance with the Building Code.
11) Any interior doorway to the main dwelling from the Secondary Suite must be a 20 min fire rated door with self-closing device.

Attachment B

Request for Garage Floor Area Exemption Variance

Subject Property

Legal: Lots 1, 3, 4, 5, 6, 7, 8, 9, 10, 11 District Lot 97, Oyster District Plan EPP97865 (Schedule "A" attached)

Civic: 1001, 1009, 1013, 1017, 1021, 1025, 1029, 1033, 1037, 1041 Rozzano Place
(Schedule "B" attached)

Property Description: 10 of 17 small lot parcels serviced and registered in 2020 ranging in area from 372 sq. m. to 721.6 sq. m.

Zoning: Town of Ladysmith **ZONING BYLAW 2014, NO.1860 Part 10.4 - SMALL LOT B ZONE R-1-B** ("hereinafter referred to as "the Bylaw")

This is an application for a Development Permit respecting a Gross Floor Area variance under the provisions of the Town of **Ladysmith ZONING BYLAW 2014, NO.1860 Section 5.14** which states:

> **5.14. Floor Area and Exemptions**
>
> a) For all Zones where either a Single Unit Dwelling or Two Unit Dwelling is permitted, the Finished Floor Area shall be measured to the exterior surface of the exterior walls, excluding:
>
> ii) Any portion of a Building used for parking purposes to a maximum floor area exclusion of 45 square metres, unless such parking is a Principal Use in which case no exclusion shall be permitted.

The Issue

Despite Clause 5.14 referring to a "Floor Area Exemption" for **all** zones where either a Single Unit Dwelling or Two Unit Dwelling is permitted, the clause goes on to describe the "method" of measuring the "Finished Floor Area" from which the garage area shall be excluded.

Staff and town legal counsel has determined that in Zone R-1-B the garage area shall not be excluded due to the fact that regarding floor area, Clause 4 of SMALL LOT B ZONE (R-1-B) refers to measuring Gross Floor Area rather than Finished Floor Area as per the following excerpt:

> **4. Size and Density of the Use of Land, Buildings and Structures**
> a) *No Single Unit Dwelling shall have a Gross Floor Area greater than 223 square metres.*

The relationship between measurement of Finished Floor Area and measurement of Gross Floor Area is defined in the Bylaw definitions (Schedule "E" attached) as follows:

> FLOOR AREA, FINISHED: means the floor area of any Storey of the Principal Building on a Parcel.
>
> FLOOR AREA, GROSS: means the total floor area of all Storeys in a Building or Structure, other than portions of Storeys having a ceiling Height of less than or equal to 2.29 metres above the floor.

Attachment C

It stands to reason that if the garage area is exempt in the calculation of the Finished Floor Area it MUST by extension be exempt from the Gross Floor Area which is the simply the total floor area of all Finished Floor Areas and visa versa.

Without the benefit of the Garage Floor Area exemption, the maximum Gross Floor Area permitted of 223 sq. meters must include the garage. With a double garage area of 45 square meters, the living area of the home is reduced to not larger than 178 sq. meters (1,916 sq. ft.).

Zone R-1-B provides for secondary suites.

If only 178 sq. meters (1,916 sq. ft.) is available for total living space, a 90 sq. m. (969 sq. ft.) suite as permitted in the Bylaw is out of the question. It would leave only 88 sq. m. (947 sq. ft) for the principal residence.

Reducing suite size to 1 bedroom at 70 sq. m. (754 sq. ft.) still only provides for 108 sq. m. (1,163 sq. ft.) for the principal residence which is not a marketable product in a new home build for a 3 bedroom family home that will cost more than $600,000 in today's market.

Regardless of the area split, the total area for the principal residence and the suite would at best be attractive only as a rental investment property (renting both principal and suite) and does not address the issue of affordable housing for young families with mortgage helper income from suite revenue to help them qualify or retirees that are not financially secure.

Excluding the garage floor area from the calculation, as is permitted in the Bylaw in all other single and two dwelling residential zones, allows 45 sq. m. (484 sq. ft.) to be applied to the principal residence which would permit a floor area range of 1,400 to 1,650 sq. ft. which could be reasonably configured for a young growing family or a retired couple needing additional income.

Garages, Lot Coverage, Density

Garages are not habitable space, consequently exempting garage floor areas from Gross or Finished Floor Area does not constitute an increase in habitable area density.

Regardless of the Gross Floor Area or the Finished Floor Area of any home or whether that measure includes or does not include an attached or a detached garage, the maximum lot coverage under Zone R-1-B cannot exceed 38.0% which already limits the land use density.

As described in **5.9 Accessory Buildings, Structures and Uses**, the floor area of Accessory Buildings including garages on any residential zoned lot in Ladysmith is not considered a component of the Gross Floor Area of the Principal Building and inasmuch as two (2) Accessory Buildings are permitted, as much as 120 sq. m. of detached buildings can be constructed over and above the permitted Gross Floor Area on any lot subject to the 38% lot coverage restrictions.

If "no garage" is constructed on a lot in **any Zone including Zone R-1-B**, the area of the parking pad is exempted from inclusion in the Gross or Finished Floor Area calculation of the Principal Residence and no reduction is applied to the Gross or Finished Floor Area for outdoor parking.

If a "detached garage" is constructed on a lot in **any zone including Zone R-1-B**, the area of the "detached garage/s", even though it/they may be as great as 120 sq. m., is exempted from inclusion in the Gross or Finished Floor area calculation of the Principal Residence and no reduction is applied to the Gross or Finished Floor Area for indoor parking.

Attachment C

If an “attached garage” is constructed on a lot in any other zone **except Zone R-1-B**, the area of the garage, up to 45 sq, m., is exempted from inclusion in the Gross or Finished Floor area calculation of the Principal Residence and no reduction is applied to the Gross or Finished Floor Area for indoor parking.

Inasmuch as in Zone R-1-B the Parcel Coverage is limited to 38.0 percent and a) outside parking area is exempt from inclusion in Gross Floor Area calculation and b) a detached garage parking area is exempt from inclusion in Gross Floor Area calculation then it is only reasonable that an attached garage should also be exempt from inclusion in Gross Floor Area calculation as is the case in all other residential single and two family dwelling zones except **Zone R-1-B**.

The R-1-B lots in question cannot construct detached garages to take advantage of the regulations inasmuch accessory buildings are not permitted in the front yard and the small lot widths make a side driveway leading to a detached rear yard garage untenable.

Developers Own Land Use Density Mitigation Measures

Although the requested variance does not increase density, we would like to bring to your attention our own measures to keep the subdivision attractive and free of congestion.

In order to significantly mitigate that problem, the Developer has registered a Building Scheme (Schedule “H” attached) which will offset the street and front yard congestion often observed in small lot neighborhoods.

Excerpts from the registered Building Scheme that address this issue:

7. *No Dwelling shall be constructed unless it includes an attached garage inclusive of a concrete driveway sufficient in size to accommodate parking of at least two (2) vehicles parked side by side outside of the garage.*

8. *No Dwellings that includes a secondary suite shall be constructed unless it includes a concrete driveway for at least two (2) side by side parking spaces off the street PLUS an additional concrete or gravel driveway to park one (1) additional vehicle in order that there may be three (3) vehicles parked side by side off the street.*

9. *No recreation vehicle (including boats, personal water craft, trailers, motorhomes, motorcycles, quads) shall be parked or stored between any of the front elevations of the garage or home and the street curb.*

10. *No recreation vehicle (including boats, personal water craft, trailers, motorhomes, motorcycles, quads) shall be parked or stored on a side yard or rear yard unless there is a minimum of an (8) foot between any Building and the property boundary.*

The Request

A variance be approved wherein any portion of a Building used for parking purposes to a maximum floor area exclusion of 45 square metres, respecting Lots 1, 3, 4, 5, 6, 7, 8, 9, 10, 11 District Lot 97, Oyster District Plan EPP97865, shall be excluded from calculation of Gross Floor Area.

Attachment C

Schedule "A"

SUBDIVISION PLAN OF:
LOT B, DISTRICT LOT 97, OYSTER DISTRICT, PLAN VIP56663,
EXCEPT PART IN PLAN VIP89355.

Pursuant to Section 67 of the Land Title Act.
BCGS 92B 091

Plan EPP97865

0 5 10 15 20 25

The intended plot size of this plan is 560mm in height by 864mm in width (C Size) when plotted at a scale of 1:300.

Integrated Survey Area No. 43, Town of Ladysmith, NAD83 (CSRS) 3.0.0.BC.1.NVI.
Grid bearings are derived from observations between geodetic control monuments 87H3576 & 87H3577 and are referred to the central meridian of UTM Zone 10 North.

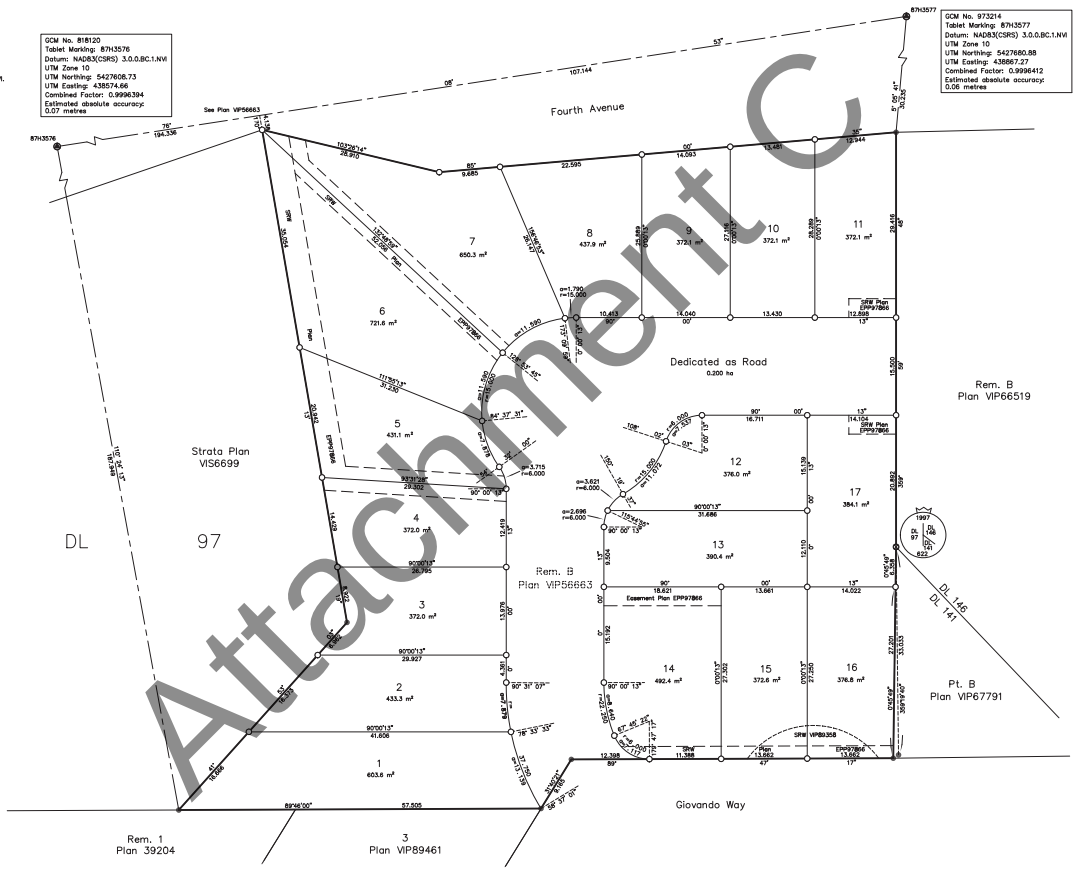
The UTM coordinates and estimated horizontal positional accuracy are derived from the MASCOT published coordinates and standard deviations for geodetic control monuments 87H3576 & 87H3577.

This plan shows horizontal ground-level distances unless otherwise specified. To compute grid distances, multiply ground-level distances by the average combined factor of 0.9996403 which has been derived from geodetic control monuments 87H3576 & 87H3577.

Legend
- Denotes Standard Iron Post Placed
- Denotes Standard Iron Post Found
- Denotes Capped Iron Post Found
- Denotes Control Monument Found

GCM No. 818120
Tablet Marking: 87H3576
Datum: NAD83(CSRS) 3.0.0.BC.1.NVI
UTM Zone 10
UTM Northing: 5427680.73
UTM Easting: 438574.66
Combined Factor: 0.9996394
Estimated absolute accuracy: 0.07 metres

GCM No. 973214
Tablet Marking: 87H3577
Datum: NAD83(CSRS) 3.0.0.BC.1.NVI
UTM Zone 10
UTM Northing: 5427680.88
UTM Easting: 438867.27
Combined Factor: 0.9996412
Estimated absolute accuracy: 0.06 metres



This plan lies within the Cowichan Valley Regional District.

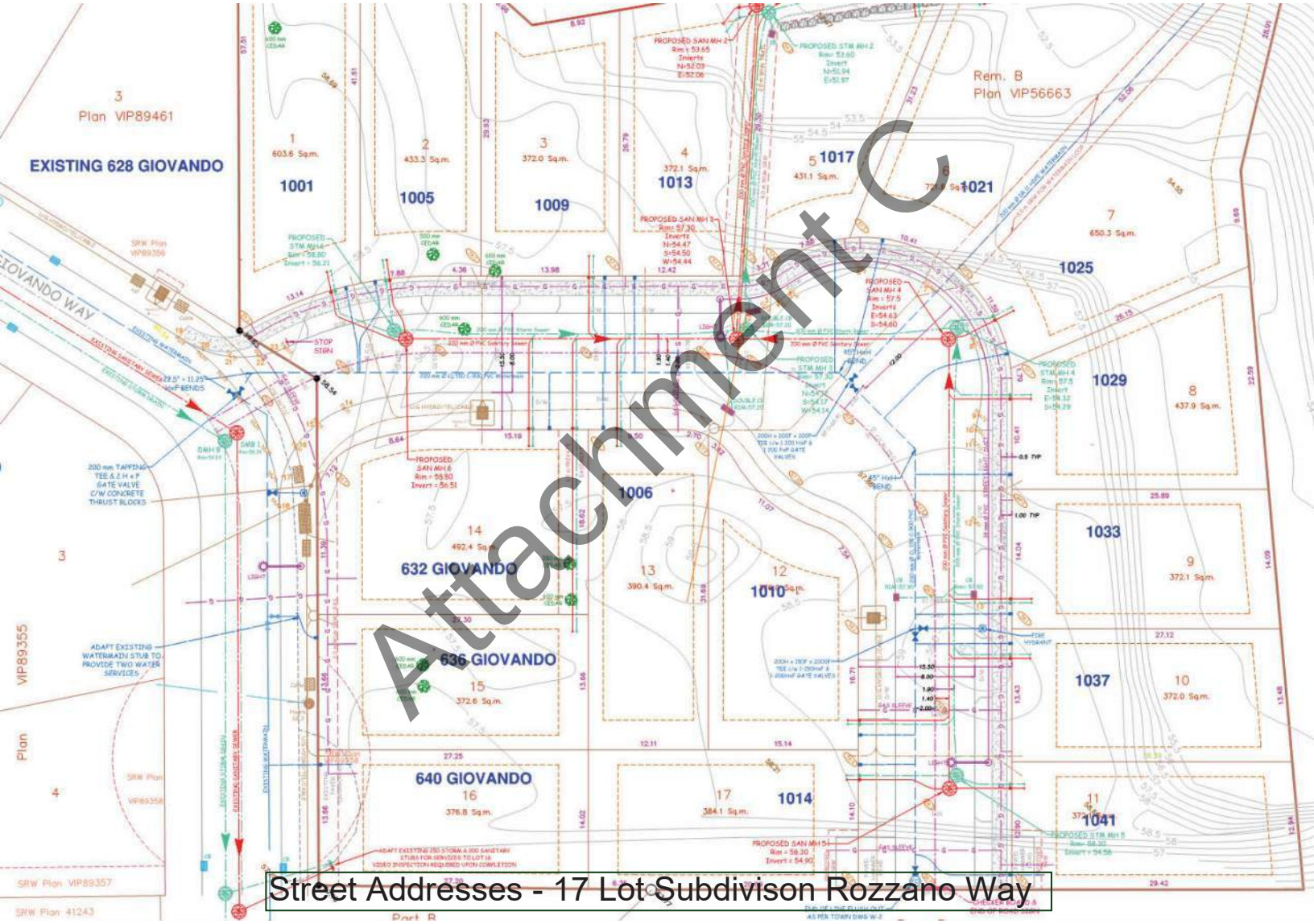
This plan lies within the jurisdiction of the Approving Officer for The Town of Ladysmith.

Turner & Associates land surveying
435 Terminal Avenue North
Nanaimo, B.C.
V9S 4J8
250-753-9778
www.turnersurveys.ca
File: 17-020

The field survey represented by this plan was completed on the 28th day of February, 2020.
Matthew D. Schmurch, BCLS 956

Attachment C

Schedule "B"



Street Addresses - 17 Lot Subdivison Rozzano Way

Overview of Height Variance Request for Rozzano Place, Ladysmith

This is an application for a Development Permit respecting height variance under the provisions of the Town of Ladysmith ZONING BYLAW 2014, NO.1860 Section 5.12.

The Issue

The properties in question are 10 of 17 small lots that were developed and registered in 2020 (Schedule "A") with civic addresses on Giovando Way and Rozzano Place (Schedule "B").

The original natural site grades had been disturbed prior to construction of the 17 lots by a previous owner who had removed soils creating a design for some rear sloping lots in contemplation of hillside residences with daylight basements which design was incorporated in the subdivision resulting in Lots 1 thru 11 having downhill slopes to the rear property line, while Lots 12 thru 17 are all level lots at the estimated original natural grade.

The subdivision is zoned R-1-B which permits maximum building height of 8.0 meters:

The issue that has arisen, is that the formula for measure of the 8 meter height, (ZONING BYLAW 2014, NO.1860 clause 5.12) severely restricts construction of 2 storey homes on lots sloped towards the rear.

In the case of the 9 lots in question, which all slope from the sidewalk to the rear lot line, the calculated actual heights that are permissible to construct are all less than 8 meters as indicated in the attached Schedule "C" indicating permissible building heights ranging from as little as 5.625 m to 7.638 m.

The 8.0 meter height restriction is sufficient to accommodate a typical 2 storey home with 9 foot ceiling heights and a variety of roof pitches.

The calculated Average Natural Grades of the 9 sloped lots precludes 2 storey homes entirely on lots 4,5,6,7 & 8 and forces compromise on ceiling heights and/or roof design on lots 3, 9, 10 & 11.

An example illustrating the compromise required to construct a 2 storey home on Lot 9 which is has a calculated Average Natural Grade of 6.74 meters is shown in Schedule "D". In order to meet the height allowance the main floor is shown as 8 feet and the upper floor is shown as 7 ½ feet. This is a serious compromise for new home product when the market norm is 9 feet.

The alternative is to construct hillside bungalows but due to the small lot sizes (minimum 372 square meters) permitted in zone R-1-B, 2 storey homes are the preferred use of the lots inasmuch as bungalows have a much larger footprint than 2 storey homes for the same floor area - leaving little remaining yard for outdoor enjoyment. Additionally, from an affordability perspective, 2 storey homes are more cost efficient to construct.

The Request

Inasmuch as "*Council, or its delegate, may approve a development permit for Buildings, in which case Height shall be measured from the elevation specified in the development permit,* we respectfully request that Lots 3,4,5,6,7,8,9,10 & 11 as described herein be permitted to construct buildings wherein the 8 meter building height as permitted under the R-1-B zoning, is measured from the elevations at the curb at the front of the lots.

Attachment D

The Impact

The visual impact on the homes that will eventually be constructed on the flat lots 12, 13, 14 and 17 (across the street from Lots 1 thru 11) is that they will be looking at 8 metre tall homes which are permitted under the zoning and which height they are also permitted to build. The streetscape on both sides of Giovando Place would be consistent with the zoning.

Lots 1 thru 11 are all elevated from surrounding properties and other than lot 6 are screened by tree cover (Schedule "E.")

Lots 1 thru 5 back on to a heavily treed natural area of the apartment project at 1244 – 4th Ave. The back of lots 1 thru 5 are not visible to the adjacent property.

Lots 7 thru 11 all back onto an approximately 45 degree steep treed slope that is 10 meters above 4th Ave. The rear elevations of homes cannot be viewed from 4th Ave. Across 4th Ave is a park with very large mature trees and no pedestrian walkway.

View from 4th Ave to rear of lots 7 - 11 does not materially change regardless of allowing 8.0 meter building heights. (Schedule "F").

Lot 6 does not have tree screening and a home constructed on this lot would be visible from 1244 – 4th Ave guest parking area and from 2 of the units.

Due to the 30 foot difference in elevation between 1244 - 4th Ave and the "buildable portion of the lot" the direct view from 1244 – 4th Ave. any fence or plantings along the top of bank shown on the plans, which is at 25 feet above 4th Ave., would mitigate the view of additional height of the building on Lot 6.

The Benefit

Granting the height variance will allow construction of 2 storey homes with 9 foot ceiling heights on all levels on all lots in the subdivision - a standard that has come to be commonplace in recent years and now expected by prospective homeowners.

Otherwise ceiling height in suites must be no more than 7 ½ feet - a depressing close space for folks already in a financial circumstance wherein they cannot afford their own homes.

2 storey construction is more economical to construct per sq. ft. than ranchers or bungalows thereby providing the opportunity to address more affordable homes.

2 storey homes have a much smaller footprint than bungalows which is especially important when building on these reduced area lots in order to provide larger yard areas for outdoor enjoyment.

Attachment D

Schedule "A"

SUBDIVISION PLAN OF:
LOT B, DISTRICT LOT 97, OYSTER DISTRICT, PLAN VIP56663,
EXCEPT PART IN PLAN VIP89355.

Pursuant to Section 67 of the Land Title Act.

BCGS 92B 091

Plan EPP97865

0 10 15 20 25

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Legend
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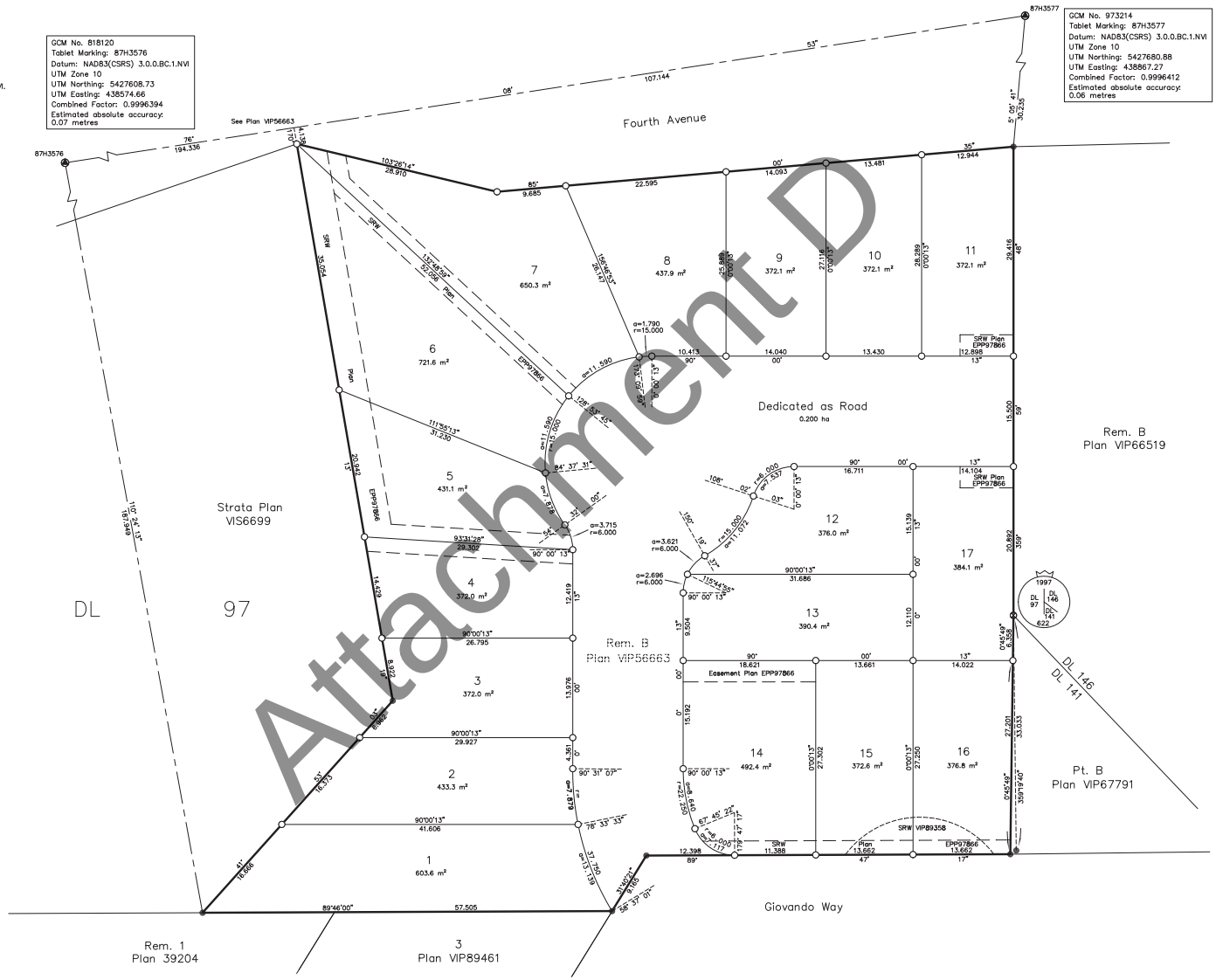
- Denotes Capped Iron Post Found
- Denotes Control Monument Found



This plan lies within the Cowichan Valley Regional District.

This plan lies within the jurisdiction of the Approving Officer for The Town of Ladysmith.

Turner & Associates
land surveying
435 Terminal Avenue North
Nanaimo, B.C.
V9S 4J8
250-753-9778
www.turnersurveys.ca
File: 17-020

The field survey represented by this plan was completed on the 28th day of February, 2020.
Matthew D. Schnurch, BCLS 956

Attachment D

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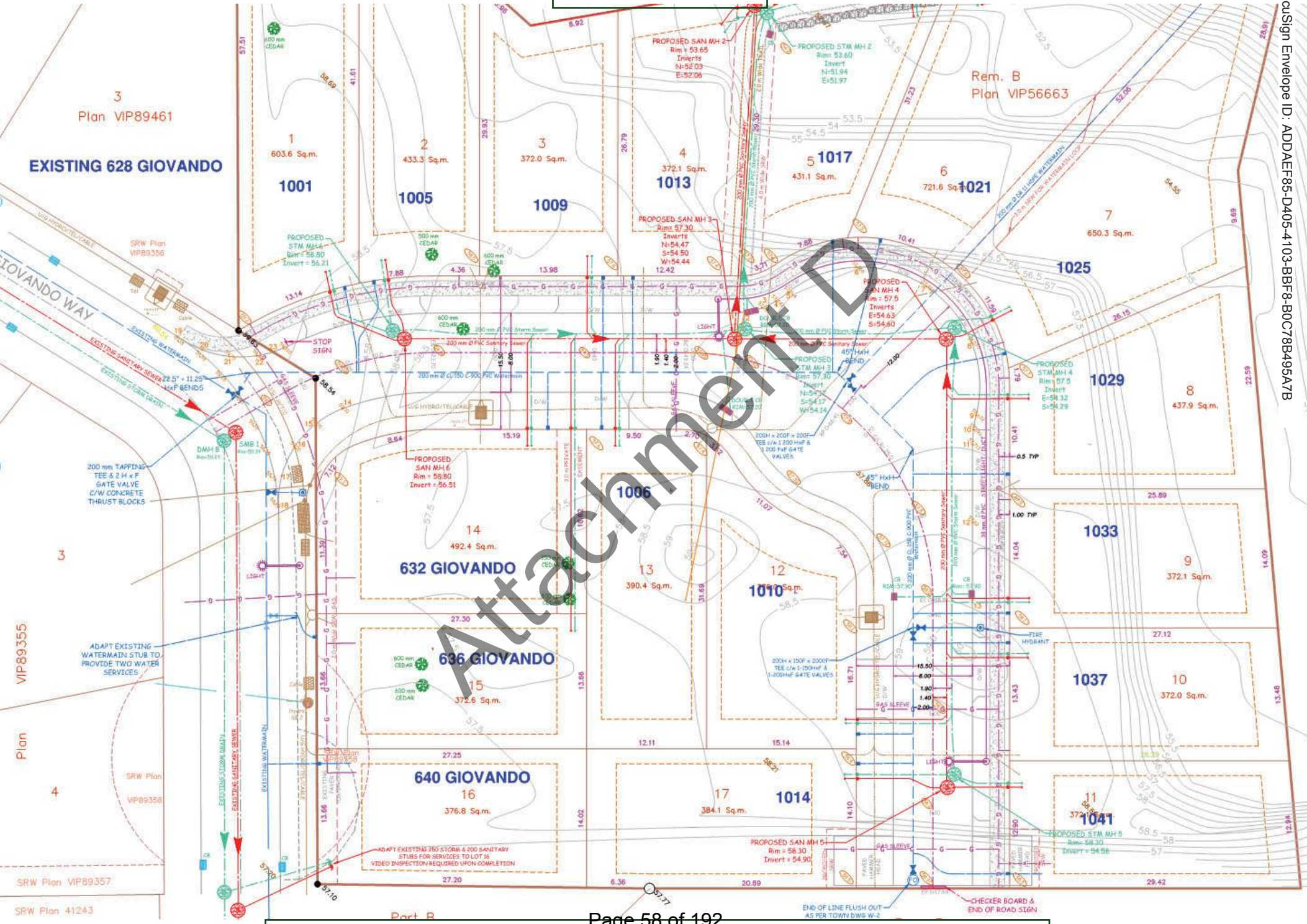
Schedule "B"



Attachment D

Street Addresses - 17 Lot Subdivison Rozzano Way

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Schedule "C"

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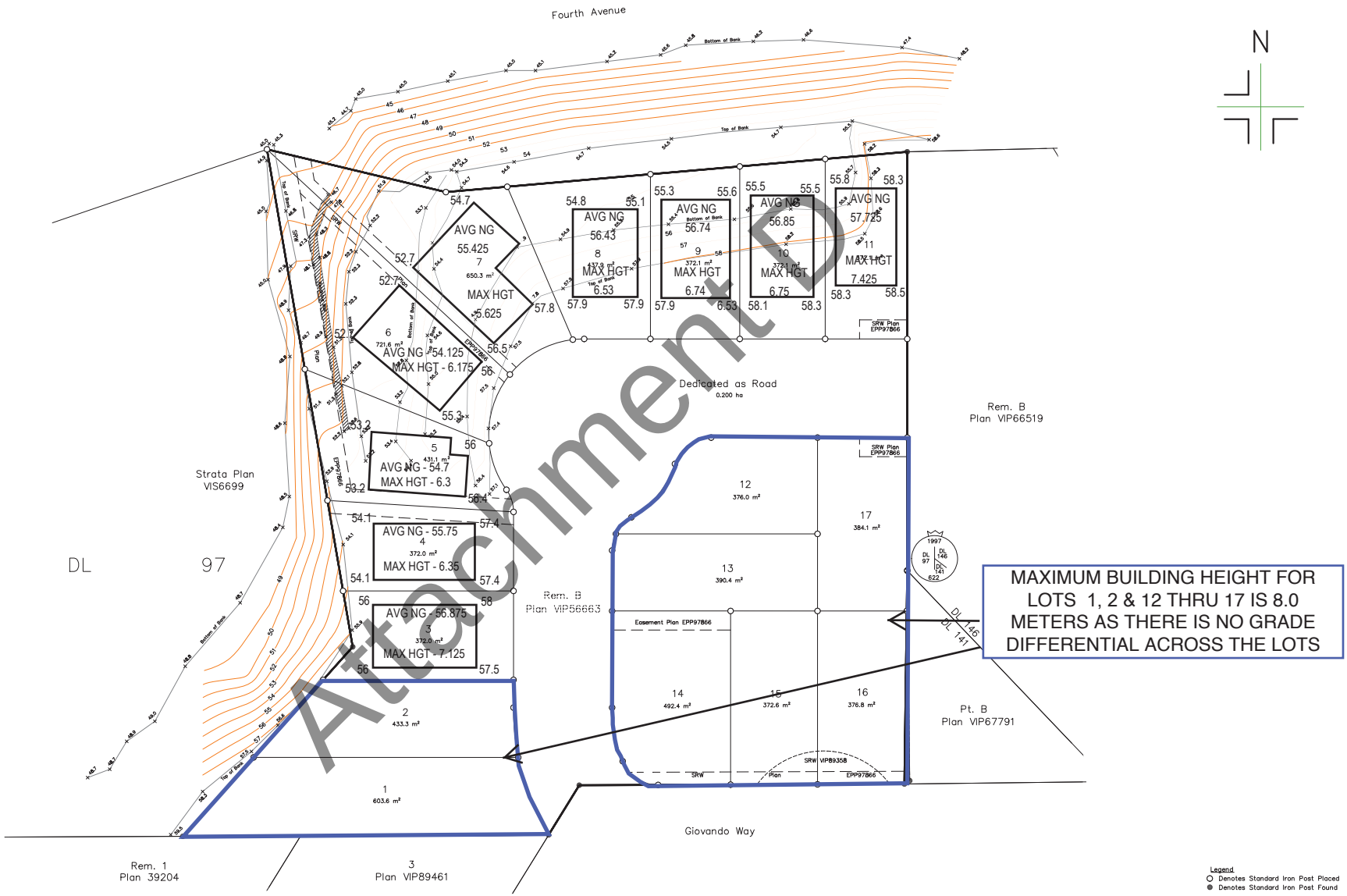


MAXIMUM BUILDING HEIGHT FOR LOTS 1, 2 & 12 THRU 17 IS 8.0 METERS AS THERE IS NO GRADE DIFFERENTIAL ACROSS THE LOTS

Attachment D

NOTE:
THIS PROPERTY IS AFFECTED BY
THE FOLLOWING REGISTERED DOCUMENTS:
M76300, EL128958, FB452453 & FB452454.

SITE PLAN SHOWING:
LOT B, DISTRICT LOT 97,
OYSTER DISTRICT, PLAN VIP56663.

Client: CAROL WARKENTIN			Civic Address: 1240 – 4th
File: 17-020	Scale: 1:300	Drawn by: DRW	Property Zoning: R-1-B

Legend
○ Denotes Standard Iron Post Placed
● Denotes Standard Iron Post Found

DISTANCES AND ELEVATIONS ARE IN METRES.
GEODETIC ELEVATIONS ARE DERIVED FROM CONTROL MONUMENT 87H3577 (CVD28BC DATUM).

y Matthew
5:59:52 -07'00' B.C.L.S.
gned and sealed.)

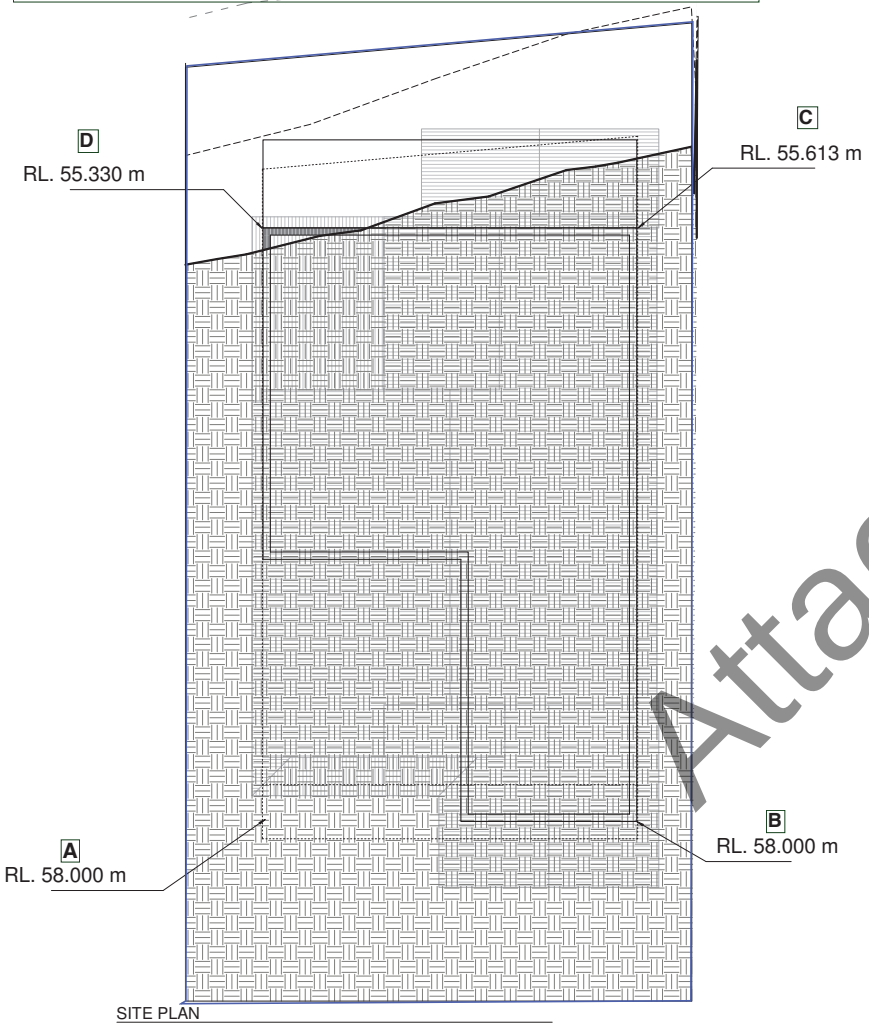
Turner & Associates
land surveying
250.753.9778
435 Terminal Avenue North
Nanaimo, BC V9S 4J8
www.turnersurveys.ca

AVERAGE NATURAL GRADE EXERCISE
PER ZONING BYLAW CLAUSE 5.12
ESTIMATING MAXIMUM BUILDING HEIGHTS

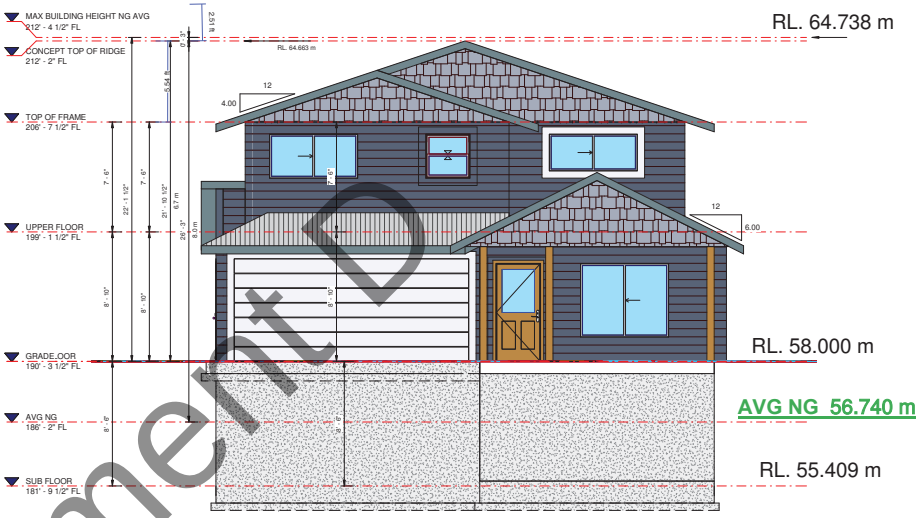
Schedule "D"

LOT 9
AVERAGE NATURAL GRADE (AVG NG)

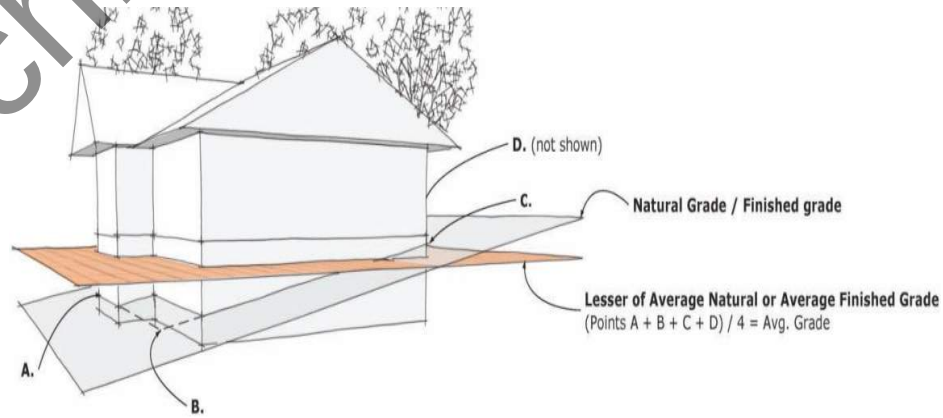
= (A+B+C+D)/4
= (58.000 m+58.000 m+55.613 m+55.330 m)/4
= 56.740 m



SITE PLAN
3/16" = 1'-0"



FRONT ELEVATION Copy 1
1/4" = 1'-0"



TOWN OF LADYSMITH ZONING BYLAW 2014, No. 1860

5.12. Height Calculation
a) For the purposes of calculating Height of Principal and Accessory Buildings: i) Height shall be the vertical distance as measured between the lesser of Average Natural or Average Finished Grade and the highest point of the roof.

Revision
1

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LOT 9

Greenplan
1665 Cedar Road
Nanaimo, B.C.
(250) 722-3456
www.greenplan.ca
info@greenplan.ca

Designed: Designer
Drawn: Author
Checked: Checker
Date: 01/21/2021
Project: MCINTYRE RESIDENCE
Drawing #: 2099-1-0121-71
Scale: As indicated
Sheet Title: Variance Support
Sheet #: V1

Attachment D

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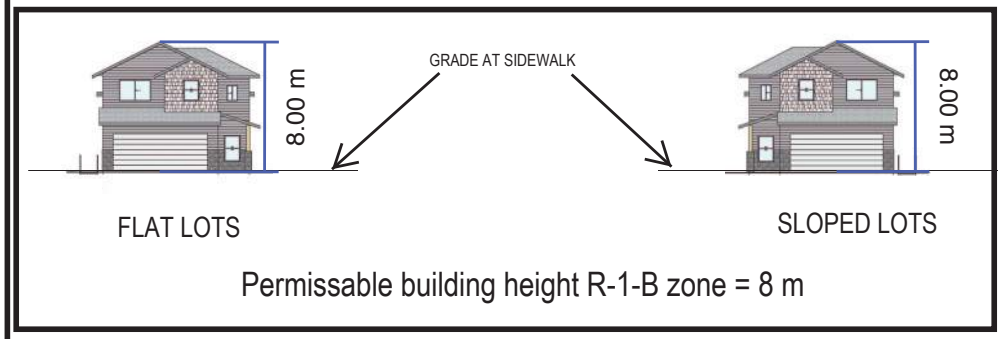
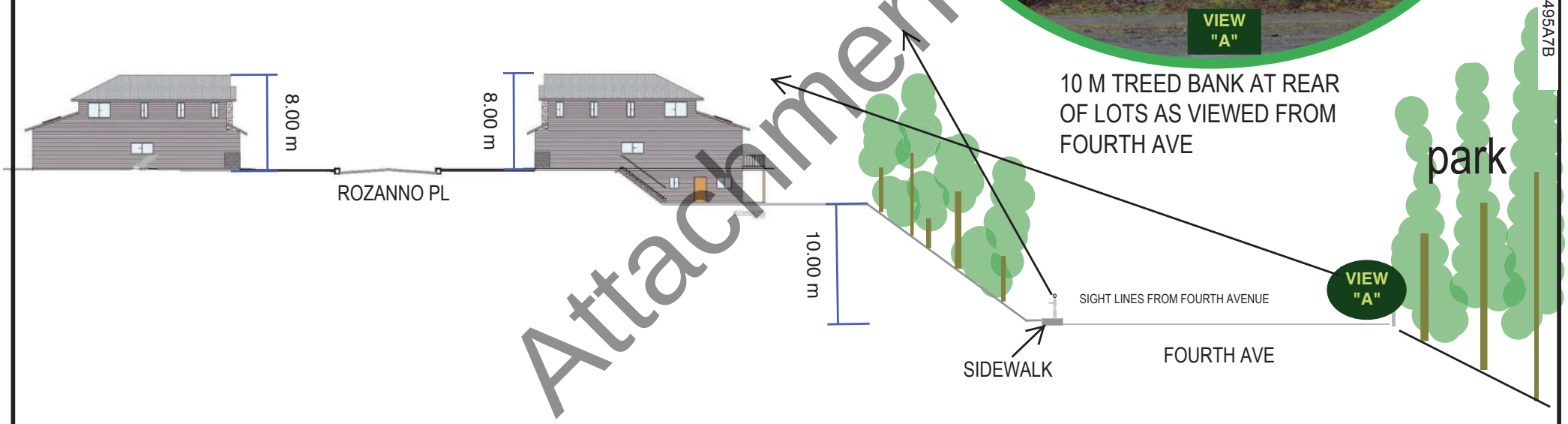
DocuSign Envelope ID: ADDAEF85-D405-4103-BBF8-B0C78B495A7B

Schedule "F"





Attachment D

SITE LINES FROM 4TH AVE IF BUILDING HEIGHT VARIANCE ALLOWS 8.O METERS MEASURED FROM GRADES AT SIDEWALK

DocuSign Envelope ID: ADDAEF85-D405-4103-BBF8-B0C78B495A7B

STEWART McDANNOLD STUART
Barristers & Solicitors

PH: 250.380.7744 | 2nd Floor, 837 Burdett Ave.
FX: 250.380.3008 | Victoria, BC V8W 1B3
logolaw@sms.bc.ca | www.sms.bc.ca

Email Transmission

March 12, 2021 File No.: 173 017

Email: jbelobaba@ladysmith.ca

Mr. Jake Belobaba
Director of Development Services
Town of Ladysmith
132C Roberts Street
PO Box 220
Ladysmith, BC V9G 1A2

Dear Mr. Belobaba:

RE: Gross Floor Area and Finished Floor Area

You have asked for our opinion regarding why garage floor area is included when calculating Gross Floor Area for Single Dwelling Units in the R-1-B Zone of the Town's Zoning Bylaw 2014, No. 1860 (the "Zoning Bylaw"). You have also asked why Gross Floor Area cannot be considered the sum of "Finished Floor Area", as that term is defined in the Zoning Bylaw.

Your request for an opinion arises because a developer has raised this issue. He argues that Gross Floor Area should be calculated as the sum of Finished Floor Area. He relies on staff reports that were in front of the Advisory Planning Commission and Council in 2017 when considering Zoning Bylaw amendments that removed a maximum Finished Floor Area restriction from the R-1-B Zone, as well as a staff report from 2017 accompanying an application for a development variance permit, as evidence supporting his position.

Attachment E

1.0 Summary Answer

The floor area of a garage is included in the calculation of Gross Floor Area in the R-1-B Zone because the definition of Gross Floor Area and sections relevant to calculating Gross Floor Area in the Zoning Bylaw do not provide an exemption for garage floor area.

Gross Floor Area cannot be considered the sum of Finished Floor Area because these are two separately defined terms in the Zoning Bylaw that do not incorporate each other.

2.0 Detailed Answer

2.1 Principles of Statutory Interpretation

When interpreting a Zoning Bylaw section, it is important not to look at the words in isolation. The basic approach to interpreting a bylaw section is to read the words in the context of the entire bylaw, using the grammatical and ordinary meaning of the words, in a manner that is harmonious with the scheme and object of the bylaw, and the intention of Council.

While you are supposed to use the "ordinary meaning" of words when interpreting a bylaw section, that rule does not apply to words that have been specifically defined in the bylaw. When a bylaw creates definitions for specific words and phrases, then those definitions apply. If a bylaw contains terms that are not defined, those terms are to have their ordinary meaning.

2.2 The Town's Zoning Bylaw

The Town's Zoning Bylaw contains a list of defined terms at section 4.1. Section 4.1 states that "unless the context otherwise requires, the following terms shall have the following meanings".

The defined terms that are relevant to the question of why garage floor area is included when calculating Gross Floor Area for a Single Unit Dwelling are:

> FLOOR AREA, GROSS: means the total floor area of all Storeys in a Building or Structure, other than portions of Storeys having a ceiling Height of less than or equal to 2.29 metres above the floor; and
>
> FLOOR AREA, FINISHED: means the floor area of any Storey of the Principal Building on a Parcel.

Note that the term "total floor area" itself is not defined. For this term, the ordinary meaning would apply.

Looking at the object of the Zoning Bylaw and the intention of Council, it is clear that Gross Floor Area and Finished Floor Area are meant to be two separate concepts. This is clear because neither definition incorporates the other.

2.3 Garage Area is Included in Gross Floor Area

Applying the tools of statutory interpretation, and keeping in mind the definitions in the Zoning Bylaw, the reason why garage floor area is included in the calculation of Gross Floor Area in the R-1-B Zone is that garage floor area is included in the calculation of Gross Floor Area for all zones. This is due to the definition of "Gross Floor Area", which is defined at "total" floor area, and only makes an exception from the calculation of floor area for portions of Storeys having a ceiling Height of less than or equal to 2.20 metres above the floor.

Attachment E

As the definition specifically excludes areas with a ceiling Height of less than or equal to 2.20 metres, that must mean that Gross Floor Area includes the floor area of all other areas of a building, unless there is another section that specifically limits the floor areas that are to be part of a Gross Floor Area calculation.

The only section in which the Zoning Bylaw exempts other areas from a calculation of Gross Floor Area is section 5.14(b). This section contains further exemptions from Gross Floor Area for Multi-Unit Dwellings, as that term is defined in the Zoning Bylaw. These exemptions do not apply to the calculation of Gross Floor Area for Single Unit Dwellings.

That the Zoning Bylaw creates an exemption for some areas of Multi-Unit Dwellings is further evidence that if Council wanted to create exemptions for some other areas of Single Unit Dwellings, it would have expressly stated so in the Zoning Bylaw.

This contrasts with how Finished Floor Area is calculated for Single Family Dwellings. "Finished Floor Area" is defined in the Zoning Bylaw as follows:

> FLOOR AREA, FINISHED: means the floor area of any Storey of the Principal Building on a Parcel.

Section 5.14(a) of the Zoning Bylaw provides direction for how Finished Floor Area is to be calculated. It states:

> a) For all Zones where either a Single Unit Dwelling or Two Unit Dwelling is permitted, the Finished Floor Area shall be measured to the exterior surface of the exterior walls, excluding:
>
> > i) Exterior cladding and exterior solid wall systems up to a maximum thickness of 0.165 metres in an exterior insulation or weather protection wall system.
> >
> > <u>ii) Any portion of a Building used for parking purposes to a maximum floor area exclusion of 45 square metres, unless such parking is a Principal Use in which case no exclusion shall be permitted.</u>
> >
> > iii) Any portion of a Building used for accommodating a swimming pool.
> >
> > iv) Unenclosed front entry porches, balconies, decks, patios, terraces, or courtyards.
> >
> > v) That portion of a Dwelling Unit that is dedicated for a vertical service shaft extending from the mechanical service area to the roof for the purposes of solar hot water heating.
> >
> > vi) Any floor space having a ceiling Height less than or equal to 2.29 metres.

Attachment E

The reason why garage floor area is not excluded from the calculation of Gross Floor Area for a Single Unit Dwelling is that unlike a calculation for Finished Floor Area, there is no exemption for portions of buildings used for parking purposes.

The reason why the calculation of Finished Floor Area has no application in the R-1-B Zone is because the zone does not contain any provisions that limit Finished Floor Area. It only contains a provision limiting Gross Floor Area.

2.4 Gross Floor Area is not the Sum of Finished Floor Area

Regarding why Gross Floor Area cannot be considered the sum of Finished Floor Areas, the answer is simple. The definition of Gross Floor Area does not refer to Finished Floor Area in any way. It is defined as the "total floor area" of all Storeys in a Building or structure.

As per the definition, the only portions of a building that are not to be included in a calculation of Gross Floor Area is "portions of Storeys having a ceiling Height of less than or equal to 2.29 metres above the floor". If Council meant to exclude parking areas from the calculation of Gross Floor Area, it could have either:

(a) expressly excluded it in the definition of Gross Floor Area or in another section of the Zoning Bylaw (such as section 5.14(b)); or

(b) defined Gross Floor Area as the total Finished Floor Area of all Storeys in a Building.

It did not do either. Therefore, the only logical interpretation of the definition of Gross Floor Area for Single Unit Dwellings is that it includes garage floor area.

2.5 Effect of Wording of Zoning Bylaw Amendment and Staff Reports

The Developer has provided a zoning bylaw amendment and related staff reports that he says lend credence to an argument that Gross Floor Area should be calculated as the sum of Finished Floor Areas. These documents do not change my opinion.

The Zoning Amendment Bylaw

The primary reason why the zoning amendment bylaw the developer provided does not affect my interpretation of the definition of "Gross Floor Area" is that the zoning amendment bylaw did not change the definition of Gross Floor Area as it applies to the R-1-B Zone.

The amending bylaw in question is Bylaw No. 1939. The only change to the R-1-B Zone contained in this bylaw is to delete section 4(a), which was a restriction on Finished Floor Area.

Attachment E

It was open to Council when passing this amending bylaw to create a special Gross Floor Area definition for the R-1-B Zone if it did not want garages to be included when calculating Gross Floor Area in the R-1-B Zone, but Council did not do so.

Staff Reports

The developer has also provided staff reports that it says support the contention that Council interprets Gross Floor Area as meaning the sum of Finished Floor Areas. Those staff reports are dated May 1, 2017, June 5, 2017, and September 21, 2017. The May 1 Staff Report discusses an application for a development variance permit for a property in the R-1-B Zone when that zone still contained a maximum Finished Floor Area. The June 5 and September 21 Staff Reports were in front of the APC and Council respectively, when Bylaw No. 1939 was being considered (the bylaw that removed the maximum Finished Floor Area from the R-1-B Zone.)

In some circumstances courts will look at staff reports to aid in a determination of the meaning of language in a bylaw. However, this is only when there is some degree of ambiguity in the bylaw. In this case there is no ambiguity.

Even if there was ambiguity, in my view the Staff Reports on the zoning bylaw amendment do not indicate that it was Council's intent for the calculation of Finished Floor Area in section 5.14 of the Zoning Bylaw to apply to a calculation of Gross Floor Area in the R-1-B Zone, or that Council generally considers Gross Floor Area to be the sum of Finished Floor Area.

The developer relies on statements in the Staff Reports that the reason for removing the Finished Floor Area restriction from the R-1-B Zone was to provide more flexibility in home design mean that Council considers Gross Floor Area to be the sum of Finished Floor Areas. With respect, these statements do not mean that it was Council's intent to insert the term "Finished Floor Area" into the definition of "Gross Floor Area", for the R-1-B Zone, or for any other zone, or that Council believes Gross Floor Area incorporates Finished Floor Area. All they provide support for is that Council wanted to provide flexibility. It did so by removing the maximum Finished Floor Area restriction in the R-1-B Zone.

The developer also provided a staff report dated May 1, 2017 related to an application for a DVP for a property zoned R-1-B. As this is a staff report that does not pertain to the zoning bylaw amendment in question it is even less useful as an interpretive tool. However, in my view, it also does not support a contention that Gross Floor Area is meant to incorporate the definition of Finished Floor Area.

At the time of the DVP application there was both a maximum Gross Floor Area and Finished Floor Area in the R-1-B Zone. In the correspondence attached to the application, the applicant applies for a variance to the maximum Finished Floor Area on the grounds that doing so would allow the construction of a larger home without drastically affecting the intent of the zoning. Council granted that application. That Council granted the application does not mean that it interpreted the term "Gross Floor Area" in its Zoning Bylaw as incorporating the definition of "Finished Floor Area".

Attachment E

3.0 Summary

To summarize, the calculation of Gross Floor Area under the Town's Zoning Bylaw contains no exception for garage floor area. Gross Floor Area should not be interpreted as the sum of the Finished Floor Area.

Yours truly,

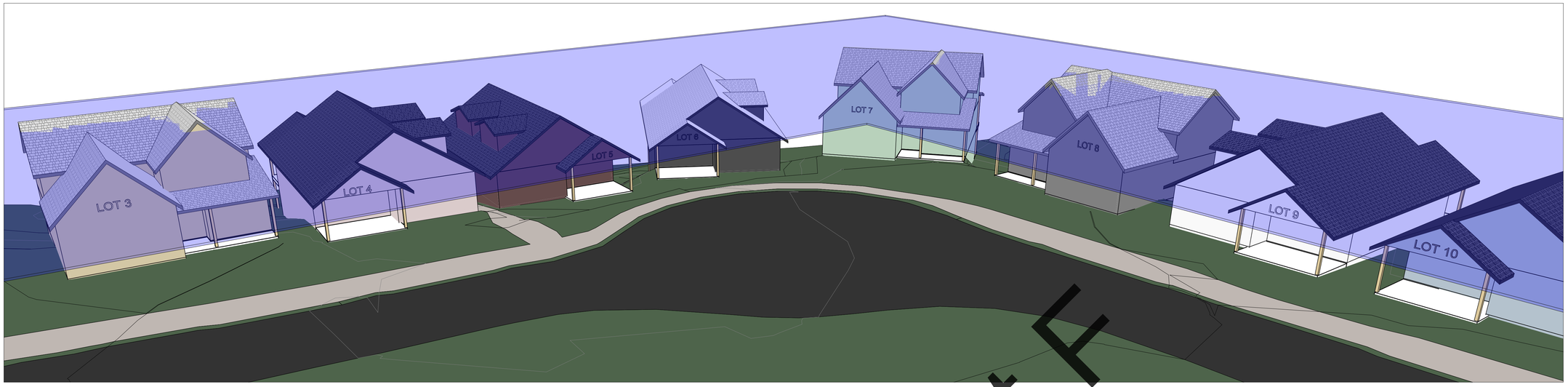
STEWART McDANNOLD STUART

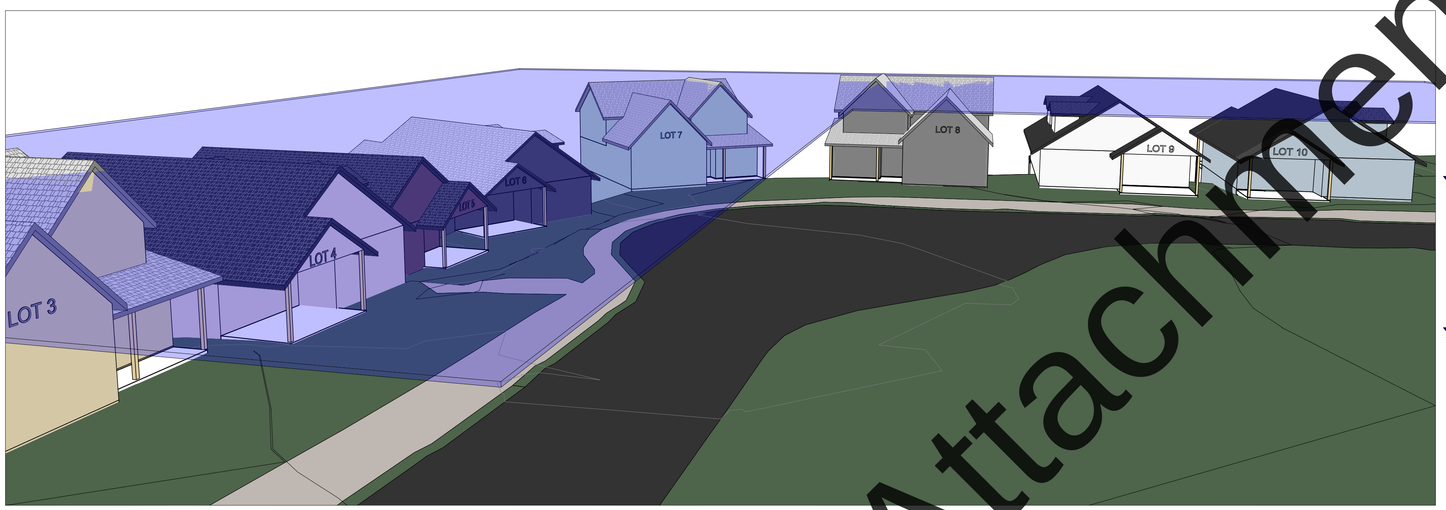
Per:

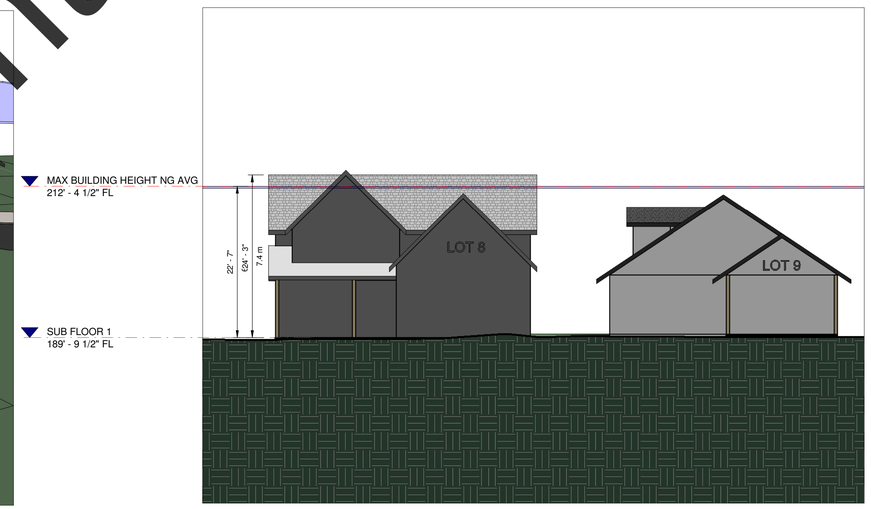
Ryan Bortolin*

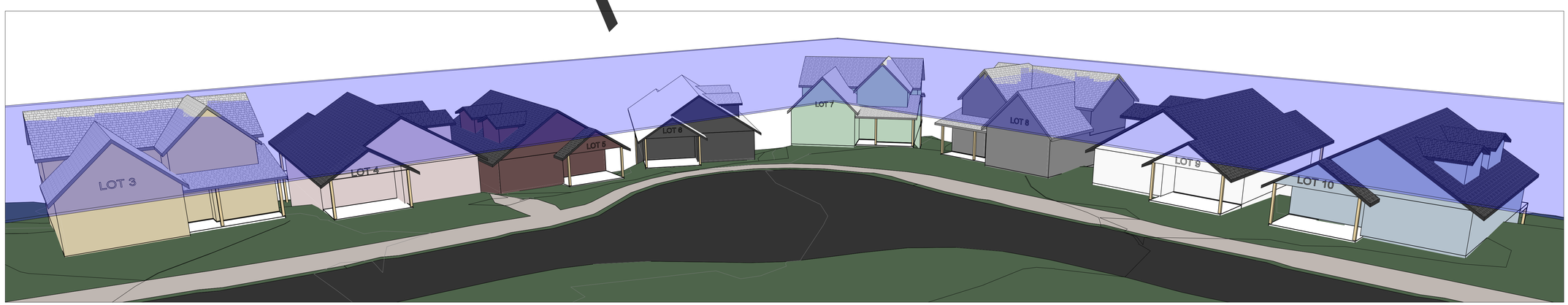
RB/jn
* Law Corporation

Attachment E









Attachment F

Revison
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GIOVANDO WAY

Greenplan
designing with nature
1665 Cedar Road
Nanaimo, B.C.
(250) 722-3456
www.greenplan.ca
info@greenplan.ca

Designed	Drawn	Checked
	AN	KA

Date
06/30/2021

Project
SITE PERSPECTIVES

Drawing #
21062-0630-72

Scale
3/32" = 1'-0"

Sheet Title
PERSPECTIVES

Sheet #
A1

MINUTES
Community Planning Advisory Committee
Wednesday, August 4, 2021 at 7:00 p.m.
via Zoom

PRESENT: Chair – Jason Harrison; Members – Abbas Farahbakhsh, Jason Robertson, Jennifer Sibbald, Steve Frankel, Tamara Hutchinson; Council Liaison – Tricia McKay; Senior Planner & Recorder – Christina Hovey;

ABSENT: Member – Brian Childs;

GUESTS: Applicants/Owners; Stefan Queitsch and Denise Berquist

---

The meeting was called to order at 7:04 p.m., acknowledging with gratitude that Ladysmith is located on the traditional unceded territories of the Stz'uminus People.

It was decided among the CPAC Members to change the order of the agenda so that the Introductions and Role of CPAC (5. a) be done before the Election of Chair (2).

1. INTRODUCTIONS AND ROLE OF CPAC

- Senior Planner Christina Hovey provided a brief overview of the Community Planning Advisory Committee Terms of Reference (provided in the CPAC binder and available on the Town's website).
- Council Liaison Councillor Tricia McKay explained the role of CPAC in advising Council, and her personal effort to ensure CPAC has a strong voice at the Council Table. Councillor McKay provided an overview of some the materials available to CPAC to help them review applications including the Council Strategic Plan, Official Community Plan, and Development Permit Area Guidelines (all provided in the CPAC binder and available on the Town's website).
- Member Introductions (roundtable).

2. ELECTION OF CHAIR

Jason Harrison was nominated to act as Chair of the Committee.

It was moved, seconded and carried that Jason Harrison be acclaimed as Chair of the Community Planning Advisory Committee.

3. AGENDA APPROVAL

It was moved, seconded and carried that the Agenda of August 4, 2021 be approved as amended.

4. ADOPTION OF MINUTES

It was moved, seconded and carried that the Minutes of June 2, 2021 be approved.

5. NEW BUSINESS

a. <u>CPAC Binder Review</u>

Senior Planner Christina Hovey provided a brief overview of the contents of the CPAC member binders. A new section has been added which includes resolution templates and some references for meeting procedures/best practices.

6. COUNCIL REFERRALS

a. <u>Façade Development Permit application 3060-21-13 – 32 High Street</u>

Applicants/Owners; Stefan Queitsch and Denise Berquist provided an overview of their plans for the building including structural upgrades to the foundation and interior renovations as well as the façade upgrade which is the subject of the development permit application. They explained that the paint colour they selected was found on old materials that had been covered through previous construction. They have been working with the historical society to learn about the history of the building and access old photos of the building. The applicants are not sure yet what they will do with the awnings on High Street, but they will come back in for another development permit when they decide.

Committee members spoke positively about the proposal and were supportive of the plans to improve this prominent heritage building. Committee members spoke positively about the paint colours and windows selected. The Committee discussed the door choices and there was some debate about whether it would be possible to find something else that would look more historic, but still match the building. Members noted that contemporary doors and windows would have energy efficiency benefits and that painting the doors and selecting heritage style hardware would positively impact the appearance of the doors.

It was moved, seconded, and carried that CPAC recommend:

- **that DP 3060-21-13 (32 High Street) be approved; and**
- **that the applicant choose heritage style hardware for the doors.**

7. MONTHLY BRIEFING

File Updates:

The following files that CPAC previously reviewed have been to Council since the last meeting:

- 1130 Rocky Creek Road (File No. 3360-20-02);
- 940 Esplanade Avenue (File No. 3360-21-02, and bylaw enforcement file);
- 10864 Westdowne Road (File No. 3360-20-08); and
- 336 Belaire Street (File No. 3360-20-09/3060-21-06).

CPAC members can review the Council Agendas and Minutes or call staff for further information.

8. NEXT MEETING – September 1, 2021 (via Zoom)

9. ADJOURNMENT

The meeting was adjourned at 8:12 p.m.

_____
Chair (J. Harrison)

RECEIVED:

_____
Corporate Officer (D. Smith)

STAFF REPORT TO COUNCIL

Report Prepared By: Camelia Copp, Revenue Accountant
Reviewed By: Erin Anderson, Director of Financial Services
Meeting Date: September 7, 2021
File No: 1970-04
Re: **Permissive Tax Exemptions for the Tax Year 2022**

RECOMMENDATION:

That Council direct staff to prepare a 1-year permissive tax exemption bylaw for all properties currently identified in the "Town of Ladysmith 2021 Permissive Tax Exemptions Bylaw 2020, No. 2052" and not include the fully exempt properties on the water parcel tax roll or the sewer parcel tax roll as identified in the staff report dated September 7, 2021.

EXECUTIVE SUMMARY:

Staff are seeking direction to prepare the annual permissive tax exemption (PTE) bylaw. All properties included in the current bylaw, "Town of Ladysmith 2021 Permissive Tax Exemptions Bylaw 2020, No. 2052", are proposed to be included in the new bylaw.

INTRODUCTION/BACKGROUND:

Under Sections 224 and 225 of the *Community Charter*, permissive exemptions are permitted to certain properties providing the property or property owner meets specific conditions. These conditions include ownership, such as not for profit organizations or charitable organizations, and specific use, such as care homes and recreational organizations.

Many churches are statutorily exempt for the building and footprint; the PTE extends the exemption to the remaining portion of the property.

DISCUSSION:

Each year, a bylaw is presented to Council for consideration. The bylaw and corresponding advertisement must be adopted prior to October 31 for the exemption to be in effect for the following taxation year.

The following properties are currently contained in Bylaw No. 2052:

224.2 (f) Building for Public Worship	
Organization	**Address**
Trustees of the Ladysmith First United Church	232 High Street
Ladysmith Fellowship Baptist Church	381 Davis Rd
Bishop of Victoria (St. Mary's Catholic Church)	1135 4th Ave

Pentecostal Assemblies of Canada	1149 4th Ave

224.2 (a) Non-Profit	
Organization	**Address**
Ladysmith & District Historical Society	721 1st Ave
Canadian Legion Branch #171	621 1st Ave
Ladysmith Health Care Auxiliary	910 1st Ave
Ladysmith Golf Club Society	380 Davis Rd
Ladysmith & District Historical Society	614 Oyster Bay Dr
Ladysmith Maritime Society	616 Oyster Bay Dr
Ladysmith Maritime Society	Unit C, I & M - 610 Oyster Bay Dr
Ladysmith & District Historical Society	612 Oyster Bay Dr
Arts Council of Ladysmith & District	Units J, K & L - 610 Oyster Bay Rd
Eco-Tourism Building	200 Capt Dekonick Way
Ladysmith Senior Citizens Housing Society	207 Jamison Rd
Ladysmith Senior Citizens Housing Society	101 1st Ave
Ladysmith Resources Centre Association	314 Buller St
Ladysmith & District Historical Society	1115A - 1st Ave
Ladysmith Festival of Lights	1163 4th Ave
Ladysmith Maritime Society	611 Oyster Bay Dr

The property at 314 Buller Street (Ladysmith Resources Centre Association's Affordable Housing project) is currently under construction. The amount of taxation foregone will not be known until the project is complete. The value of the PTE for 2022 will be based on the 2021 current values.

The approximate value of 2021 taxes foregone for the proposed annual bylaw is:

	Municipal	Other	Total
Building for Public Worship	14,213	9,270	23,482
Non-Profit	102,689	59,962	162,651
Parcel Tax			9,708
		Total	195,842

Below is a summary table from 2021 BC Assessment's Assessment Link BC that shows the number of taxable and exempt properties. The statutory folios include properties owned by the Town of Ladysmith, the Provincial and Federal Governments as well as specific properties with unique circumstances. The PTE includes revitalization exempt properties as well as all the properties currently on the 2021 PTE bylaw.

Summary	# Folios	Total Assessed Value
Fully Taxable Totals	10	4,599,000
Permissive Totals	35	20,025,900
Statutory Totals	143	118,110,648

SCOPE OF WORK:

If approved, staff will prepare the bylaw for first three readings at the September 21st Council meeting. Statutory advertising will be placed in the September 30th and October 7th editions of the Chronicle. The bylaws are proposed to be adopted on October 19th, ahead of the October 31st deadline. The adopted bylaws will be forwarded to BC Assessment to ensure the exemption to the assessments are put in place for the tax year 2022.

ALTERNATIVES:

Council can choose to:

1. Deny the exemptions. There is no requirement for Council to provide tax exemptions.
2. Grant cash-in-lieu of exemptions. Instead of creating a bylaw, Council can grant exemptions in the actual taxation year. Rather than just forgoing the municipal taxes, which are just shifted to other property owners, the Town would lose the municipal portion of taxation revenue and be responsible for paying all taxing agency taxes, which would be significantly more money.
3. Provide a 10-year exemption, which will streamline the process for applicants and staff. However, there would be less scrutiny and oversight with this option.

FINANCIAL IMPLICATIONS:

For each exemption granted, the exemption tax burden is passed on to other property owners in the municipality. Usually, there is no property tax revenue lost - just a shifting of the taxation dollars from each exempt property to all the other taxable properties. All other taxpayers pay for tax exemptions.

In the case of the new construction on the property at 314 Buller Street, non-market change is used to reduce the overall taxation. As this new construction has not yet been taxed, there is no revenue lost.

Many of the organizations that received a PTE also receive a Grant in Aid and/or reduced costs for rent.

PTEs are reviewed again during the Financial Plan process.

LEGAL IMPLICATIONS:

The bylaw, in its entirety, is at risk if one of the properties on the bylaw is successfully challenged in the Courts.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Statutory notification will be published in the newspaper and the exemption notification will be forwarded to BC Assessment.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Legislative Services and the Financial Services Department will work together to complete the bylaw and meet the statutory requirements.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

☐Complete Community Land Use
☐Green Buildings
☐Innovative Infrastructure
☐Healthy Community
☒ Not Applicable
☐ Low Impact Transportation
☐ Multi-Use Landscapes
☐ Local Food Systems
☐ Local, Diverse Economy

ALIGNMENT WITH STRATEGIC PRIORITIES:

☐Infrastructure
☐Community
☐Waterfront
☐ Economy
☒ Not Applicable

I approve the report and recommendation(s).

Allison McCarrick, Chief Administrative Officer

STAFF REPORT TO COUNCIL

Report Prepared By: Erin Anderson, Director of Financial Services
Reviewed By: Allison McCarrick, CAO
Meeting Date: September 7, 2021
File No:
Re: **Revitalization Tax Exemption Economic Agreement – 902 Ludlow Road**

RECOMMENDATION:

That Council authorize the Mayor and Corporate Officer to execute a Revitalization Tax Exemption - Economic Agreement with the property owner(s) of 902 Ludlow Road (which is legally described as Lot A, Plan EPP71248, District Lot 24, Land District 43) as per "Town of Ladysmith Revitalization Tax Exemption – Economic Revitalization Bylaw 2012, No. 1807" as amended.

EXECUTIVE SUMMARY:

The owners of 902 Ludlow Rd meet the requirements of "Town of Ladysmith Revitalization Tax Exemption – Economic Revitalization Bylaw 2012, No. 1807" as amended, and are requesting a ten-year property tax exemption.

PREVIOUS COUNCIL DIRECTION:

CS 2019-341	10/21/2019	That Council adopt "Town of Ladysmith Revitalization Exemption - Economic Revitalization Bylaw 2012, No. 1807, Amendment Bylaw 2019, No. 2016".
CS 2012-307	09/17/2012	It was moved, seconded and carried that Town of Ladysmith Revitalization Tax Exemption—Economic Revitalization Bylaw 2012, No. 1807 be adopted.

INTRODUCTION/BACKGROUND:

In 2019, Council approved a specific amendment to Bylaw No. 1807 to extend the term of the bylaw program to 10 years, the maximum allowed under the *Community Charter*.

The owners of the property at 902 Ludlow Road have an active building permit valued at over $5 million dollars, which exceeds the minimum threshold of $2.5 million, and meets the following objectives contained in the bylaw:

- Encourages business – the development will encourage others to locate in Ladysmith;
- Promotes employment – the additional space will provide the opportunity for business growth and create more jobs; and
- Promotes a higher standard of urban design.

Since the original bylaw was adopted, only one other property has taken advantage of the program – 1030 Oyster Bay Road – for the tax years 2014-2018.

The program bylaw sets out what is to be included in the agreement. The proposed agreement is included in Attachment B, and has been discussed with the property owner.

ALTERNATIVES:

Council can choose to:

1. Wait for the project to be complete before allowing the exemption.
2. Add additional specific criteria for this project to be included in the agreement.

FINANCIAL IMPLICATIONS:

Tax exemptions shift the tax burden among the property classes. Since this type of improvement has not been taxed, there is no taxation revenue changes at this point – just an amount of taxation foregone. In years 2022-2026, the full municipal taxes will remain close to the 2021 values; 2027-2031 will see a phasing-in of taxation.

The gross 2021 taxes for this property were $12,022 , which includes the municipal portion of $7,071. The land value of $589,000 will remain roughly at this amount, though still subject to BC Assessment market fluctuations.

LEGAL IMPLICATIONS:

Revitalization tax exemptions are eligible under section 226 of the *Community Charter*.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

If approved, this property will be advertised along with the regular permissive tax exemption properties in the September 30th and October 7th editions of the Ladysmith Chronicle .

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Finance, Development Services and Building will work together to ensure all aspects of the program bylaw continue to be met.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

☒Complete Community Land Use
☐Green Buildings
☒Innovative Infrastructure
☐Healthy Community
☐ Not Applicable
☐ Low Impact Transportation
☐ Multi-Use Landscapes
☐ Local Food Systems
☐ Local, Diverse Economy

ALIGNMENT WITH STRATEGIC PRIORITIES:

☐Infrastructure
☐Community
☐Waterfront
☒ Economy
☐ Not Applicable

I approve the report and recommendations.

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

A. Letter from E. Madill
B. Appendix B - Agreement

Madill®
THE OFFICE COMPANY

July 29/21

Dear Town of Ladysmith,

Re: 902 Ludlow Road – Lot A District Lot 24, Oyster District, EPP71248

We, Madill – The Office Company, are looking to construct a workplace that will allow us to grow and evolve as a business. We sell office supplies and have warehouses here in Ladysmith, Burnaby, Edmonton and in Calgary. While our Ladysmith warehouse allows us to service Vancouver Island from Victoria to Campbell River, this facility is also used as our sales, customer service and administration center. We currently all work on the same floor and in the same space. Noise, temperature and cleanliness are often not at the desired level for office staff with forklifts, inventory and vehicles moving around.

In the new facility the warehouse, valued at over $5 million dollars, will operate out of the ground floor and sales, customer service and administration will operate on the second floor. Each will have its own space. This new space will provide our business with a great environment to operate, grow, create more jobs and evolve in the oncoming years .

With Ladysmith being within five minutes of the Nanaimo Airport and also the central point between Victoria and Campbell River I believe it is the best location for our business. This location is also next to the Town's proposed Waterfront Area Plan project. Ladysmith is also a developing community and my hope is to provide our business and this community with an exemplary building that will encourage others to consider locating to Ladysmith. We are not constructing any average building but instead promoting a higher standard of urban design and are installing a structure that I expect to be the commercial flagship structure of Ladysmith going forward.

I very much appreciate Ladysmith considering this property for the ten –year property tax exemption program.

Sincerely,

Ehren Madill
Atlas Shrugged Holdings

Schedule "B"
Revitalization Tax Exemption - Economic Agreement

THIS AGREEMENT dated for reference the ____day of _____, 20____ is

BETWEEN:

ATLAS SHRUGGED HOLDINGS LTD
902 Ludlow Rd, PO Box 1240
Ladysmith, BC
V9G 1A8

(the "Property Owner")

AND:

TOWN OF LADYSMITH
410 Esplanade, PO Box 220
Ladysmith, BC
V9G 1A2

(the "Town")

GIVEN THAT:

A. The Property Owner is the registered owner in fee simple of lands in the Town of Ladysmith at *902 Ludlow Rd* legally described as *Lot A, Plan EPP71248, District Lot 24, Land District 43* (the "Property");

B. Council has established a revitalization tax exemption program under the Town of Ladysmith Revitalization Tax Exemption – Economic Revitalization Bylaw 2012 No. 1807, as amended (the "Bylaw"), under which the Property is included within the revitalization area; and

C. This Agreement contains the terms and conditions respecting the granting of a municipal property tax exemption under the Bylaw;

THIS AGREEMENT is evidence that in consideration of the promises exchanged below, the Property Owner and the Town covenant and agree each with the other as follows:

1. In this Agreement, the following words have the following meanings:

"Assessed Value"	means the most recent assessed value of the Parcel for land and improvement as determined by the BC Assessment Authority

"Baseline Assessment"	means the last published assessed value of the Parcel for land and improvements prepared by the BC Assessment Authority immediately before the commencement of the Project;
"Bylaw"	means Town of Ladysmith Revitalization Tax Exemption – Economic Revitalization Bylaw 2012 No. 1807, as amended.
"Commercial and Industrial Use"	means Parcel assessed as Class 4, 5 or 6 and located within the Revitalization Area;
"Council"	means the council of the Town of Ladysmith;
"Property"	means the lands legally described as Lot A , Plan EPP71248, District Lot 24, Land District 43;
"Project"	means an eligible revitalization Project on the Property involving the construction or an alteration of an existing improvement;
"Revitalization Area"	means a Parcel which is currently within a land use designation as indicated on Schedule "A"
"Tax Exemption"	means a municipal revitalization tax exemption pursuant to a Tax Exemption Certificate;
"Tax Exemption Certificate"	means a revitalization tax exemption certificate issued by the Town pursuant to this Bylaw and pursuant to the provisions of Section 226 of the Community Charter, in the form attached as Schedule "C", which is attached to and forms part of the Bylaw.

1. **The Project** – The Property Owner will use its best efforts to ensure that the Project is constructed, maintained, operated and used in a fashion that will be consistent with and will foster the objectives of the revitalization tax exemption program, and, without limiting the generality of the foregoing, the Property Owner covenants to use its best efforts to ensure that the Project will:

   (a) Encourage business – the development will encourage others to locate in Ladysmith

   (b) Promote employment – the additional space will provide the opportunity for business growth and create more jobs

   (c) Promote higher standard of urban design

2. **Operation and Maintenance of Project** – Throughout the term of the Tax Exemption the Property Owner must operate, repair and maintain the Project and will keep the Project in a state of good repair as a prudent owner would do.

3. **Revitalization Tax Exemption** – Subject to fulfillment of the conditions set out in this Agreement and in the Bylaw, the Town will issue a revitalization tax exemption certificate (the "Certificate") to the Property Owner entitling the Property Owner to a property tax exemption in respect of the Property (the "Tax Exemption") in an amount and for the calendar years set out in this Agreement. The Certificate will be in the form attached to this Agreement as Schedule "B".

4. **Conditions** – The following conditions must be fulfilled before the Town will issue a Tax Exemption Certificate to the Property Owner:

   (a) The owner must obtain a building permit from the Town for the project on or before May 5, 2021, and begin construction within one year on or before May 5, 2022;

   (b) The Property Owner must provide the Town with a certificate from the Property Owner's design professional (if applicable), in form and content satisfactory to the Town's Director of Financial Services, certifying the actual cost to construct the completed Project.

   (c) All property taxes, business licenses, and user fees must be paid in full throughout the term of the Agreement.

   (d) The Property Owner must complete or cause to be completed construction of the Project in a good and workmanlike fashion and in strict accordance with the building permit and the plans and specifications attached hereto as Schedule "B" and the Project must be inspected by the Town building inspector and certified complete on or before May 5, 2023;

   (e) The completed Project must substantially satisfy the performance criteria set out in Schedule "C" hereto, as determined by the Town's Director of Development Services and Building Inspector;

   (f) Variations from the original construction plan, Bylaw infractions or poor quality work may result in rescinding of the tax exemption approval;

   (g) Any changes or upgrades made to the structure of the building due to the improvements must comply with all applicable bylaws;

5. **Calculation of Revitalization Tax Exemption** – the amount of the Tax Exemption shall be:

   (a) during the taxation years 2022 to 2026, shall be equal to that part of the municipal portion of property taxes on that part of Assessed Value calculated by deducting

the Baseline Assessment from the current Assessed Value and multiplying the difference by the current municipal tax rate;

(b) if the Project is valued greater than $2,500,000:

(i) for the taxation year 2027, 90% of the tax exemption provided under section 5(a);

(ii) for the taxation year 2028, 80% of the tax exemption provided under section 5(a);

(iii) for the taxation year 2029, 70% of the tax exemption provided under section 5(a);

(iv) for the taxation year 2030, 60% of the tax exemption provided under section 5(a); and

(v) for the taxation year 2031, 50% of the tax exemption provided under section 5(a).

6. **Term of Revitalization Tax Exemption** – provided the requirements of this Agreement, and of the Bylaw are met, the Tax Exemption shall be for the taxation years 2022 to 2031, inclusive for a maximum of 5 years for Projects valued less than $2,500,000 or a maximum of 10 years for Projects valued greater than $2,500,000. If the Certificate is issued before October 30th of the current year, then the Tax Exemption will be available for the following calendar year.

7. **Compliance with Laws** – The Property Owner will construct the Project and, at all times during the term of the Tax Exemption, use and occupy the Property and the Project in compliance with all statutes, laws, regulations and orders of any authority having jurisdiction and, without limiting the generality of the foregoing, all federal, provincial, or municipal laws or statutes or bylaws, including all the rules, regulations, or the like made under or pursuant to any such laws.

8. **Effect of *Strata Property Act* Subdivision –** If the Property Owner subdivides the Parcel under the Strata Property Act the Tax Exemption shall be prorated among the strata lots in accordance with the unit entitlement of each strata lot for:

(a) The current and each subsequent tax year during the currency of this Agreement if the strata plan is accepted for registration at the Land Title Office before May 1; or

(b) For the next calendar year and each subsequent tax year during the currency of this Agreement if the strata plan is accepted for registration at the Land Title Office after May 1.

9. **Representations and Warranties** – The Owner represents and warrants to the Town that the Owner is the Owner of the Parcel for the purpose of property assessment and taxation.

10. **Cancellation** – The Town may in its discretion cancel the Certificate at any time:

    (a) On the written request of the Property Owner; or

    (b) Effective immediately upon delivery of a notice of cancellation to the Property Owner if at any time any of the conditions in the Exemption Certificate or the Exemption Agreement are not met.

11. **Repayment of Exempt Taxes** - During the term of the Bylaw, the tax exemption amount received by the owner must be repaid to the Town if the building is destroyed or altered without proper authorization from the Town (other than by a natural disaster) or if the use of the building on the Property is discontinued for a period of more than three (3) months. In either of these circumstances, the exemption certificate will be cancelled. If such cancellation occurs, the owner of the property for which the certificate was issued will remit to the Town an amount equal to the total value of the current year exemption received under this Agreement within 30 days of cancellation. If the amount is not paid within that 30 day period, any amount unpaid will bear interest at a rate of 1.0% per month, compounded annually.

12. **No Refund –** For greater certainty, under no circumstances will the Property Owner be entitled under or pursuant to this Agreement or under or pursuant to the revitalization tax exemption program to any cash credit, any carry forward tax exemption credit or any refund for any property taxes paid.

13. **Notices**. Any notice or other writing required or permitted to be given hereunder or for the purposes hereof to any party shall be sufficiently given if delivered by hand or posted on the Property, or if sent by prepaid registered mail (Express Post) or if transmitted by facsimile to such party:

(i) in the case of a notice to the Town, at:

THE TOWN OF LADYSMITH
410 Esplanade, PO Box 220
Ladysmith, BC V9G 1A2

Attention: Director of Financial Services
Facsimile: 250-245-6411

(ii) in the case of a notice to the Property Owner, at:

ATLAS SHRUGGED HOLDINGS LTD
PO Box 1240 Stn Main
Ladysmith, BC V9G 1A8

Attention: Ehren Madill
Facsimile: 250-245-3232

or at such other address or addresses as the party to whom such notice or other writing is to be given shall have last notified the party giving the same in the manner provided in this

section.

Any notice or other writing sent in compliance with this section shall be deemed to have been given and received on the day it is given unless that day is not a Business Day, in which case the notice shall be deemed to have been given and received on the next day that is a Business Day. In this section, "Business Day" means any day other than Saturday, Sunday, any statutory holiday in the Province of British Columbia or any day on which banks generally are not open for business in Ladysmith, British Columbia.

14. **No Assignment** – The Property Owner may not assign its interest in this Agreement except to a subsequent owner in fee simple of the Property.

15. **Severance** - If any portion of this Agreement is held invalid by a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this Agreement.

16. **Interpretation** - Wherever the singular or masculine is used in this Agreement, the same shall be construed as meaning the plural, the feminine or body corporate where the context or the parties thereto so required.

17. **Further Assurances** - The parties hereto shall execute and do all such further deeds, acts, things and assurances that may be reasonably required to carry out the intent of this Agreement.

18. **Waiver** - Waiver by the Town of a default by the Property Owner shall be in writing and shall not be deemed to be a waiver of any subsequent or other default.

19. **Powers Preserved -** This Agreement does not

    (a) affect or limit the discretion, rights or powers of the Town under any enactment (as defined in the Interpretation Act, R.S.B.C. 1979, c.206, on the reference date of this Agreement) or at common law, including in relation to the use or subdivision of the Land;

    (b) affect or limit any enactment relating to the use or subdivision of the Property, or

    (c) relieve the Property Owner from complying with any enactment, including in relation to the use or subdivision of the Property, and without limitation shall not confer directly or indirectly any exemption or right of set-off from development cost charges, connection charges application fees, user fees or other rates, levies and charges payable under any Bylaw of the Town.

20. **References** - Every reference to each party is deemed to include the heirs, executors, administrators, personal representatives, successors, assigns, servants, employees, agents, contractors, officers, licensees and invitees of such party, wherever the context so requires or allows.

21. **Enurement** - This Agreement shall enure to the benefit of and be binding upon the parties

hereto and their respective successors and permitted assigns.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the day and year first above written.

Signed, Sealed and Delivered by the
TOWN OF LADYSMITH by its
authorized signatories:

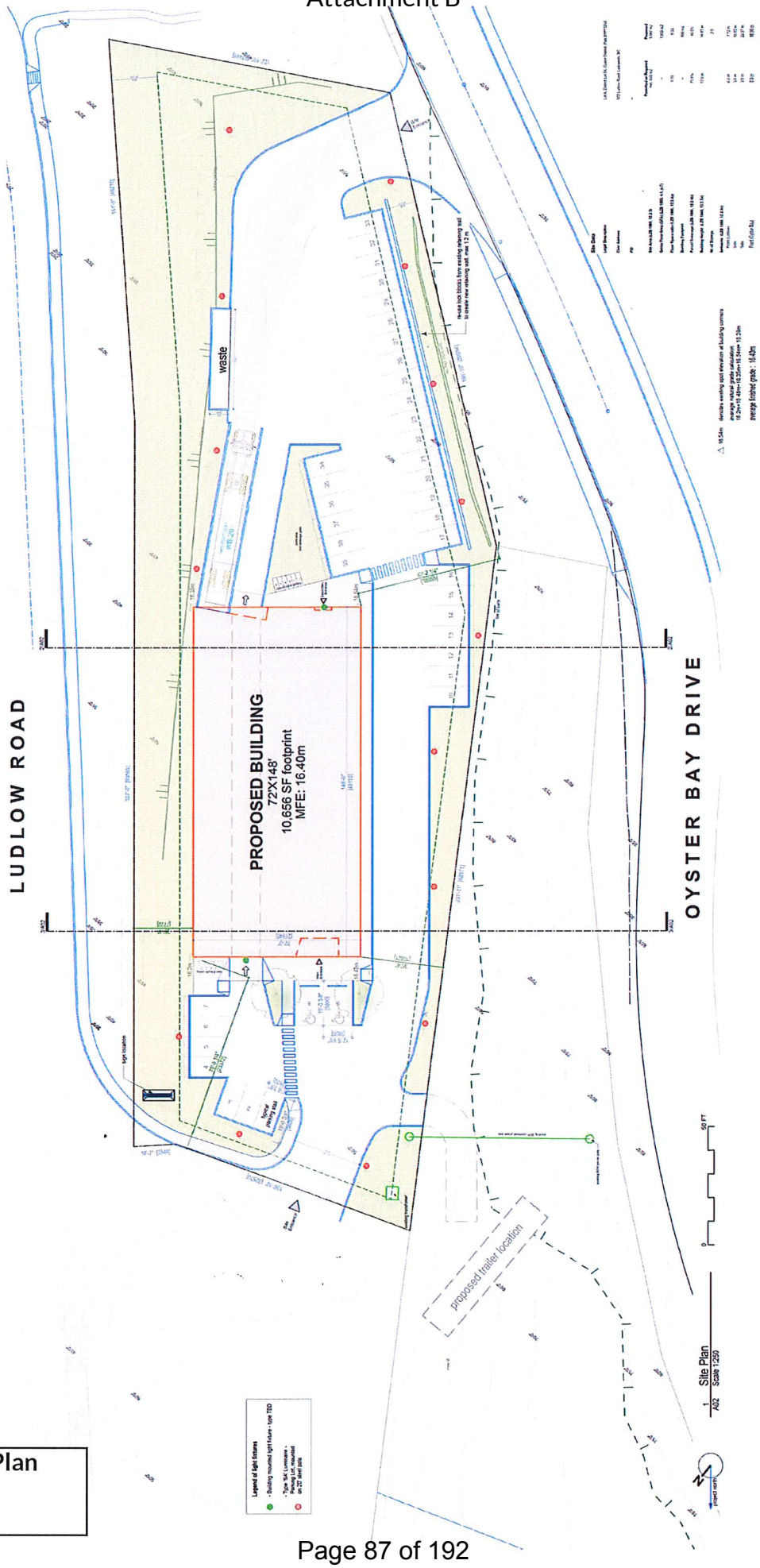
_____
Mayor:

_____
Corporate Officer:

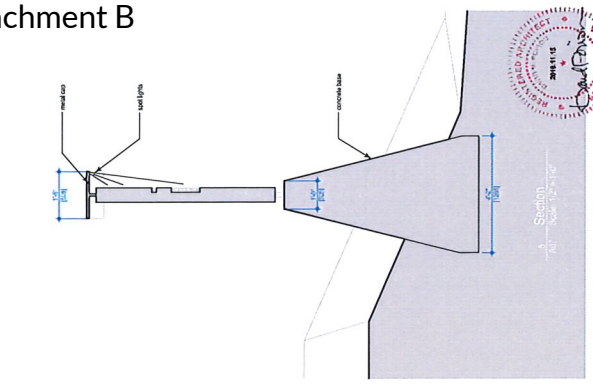
Signed, Sealed and Delivered by
by its authorized signatories:

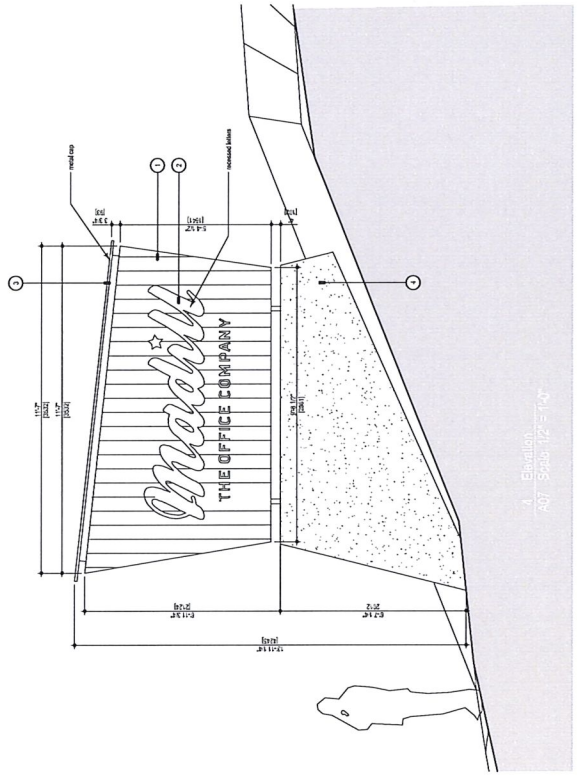
_____
Name:

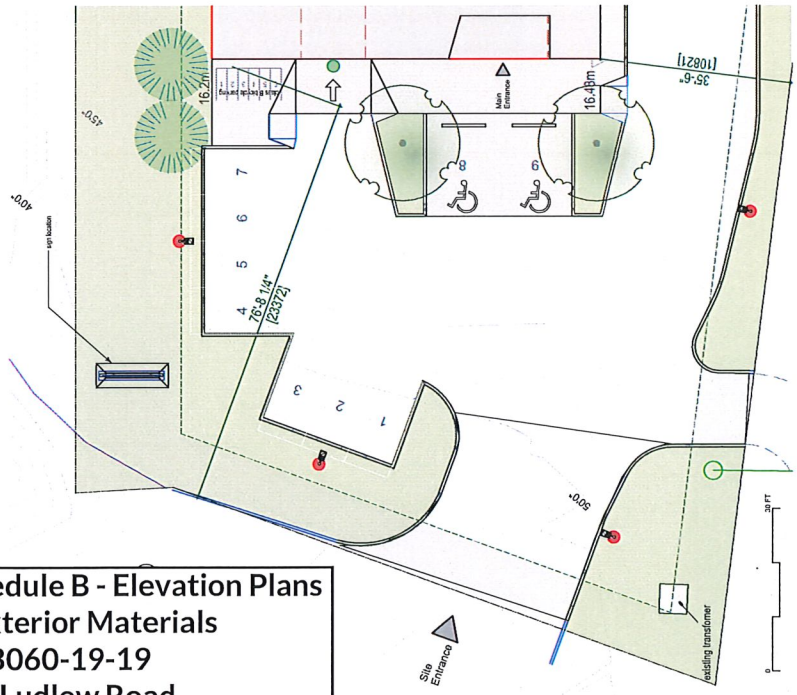
_____
Name:



Schedule A - Site Plan
DP 3060-19-19
902 Ludlow Road





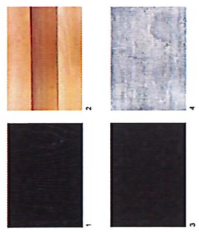


Sign data

Applicable bylaw: Langford Sign and Canopy Bylaw no. 1176

General	Permitted or Required	Proposed
Sign Area (LSCS 1176, 4.3) max. 6.1%(2) (on frontage) (frontage: 142.18m)	max. 47.00 m2	6.0 m2
Height free standing sign (LSCS 1176, 4.12)	max. 5 m	4.3 m
General Commercial/Industrial (LSCS 1176, 4.1)		
Free standing sign (8.7.1(b))	yes	yes
Sign allowance ratio (8.7.2)	2:1	1.0:1.3
Size (8.7.4(a))	max. 7.0 m2	6.0 m2
Number of signs (8.7.4(b))		
property < 1800 m2:	1	1
property > 1800 m2:	2	
Allowable signage on non-business frontage (8.7.3)	yes	no

Materials



Exterior Materials Schedule

Material	Finish	Colour	Notes
1 Solid wood - vertical	Stained	Black	Coordinate with building material 2b
2 Wood horizontal slats/ WRC	Stained	Clear	Coordinate with building material 2b
3 Steel plates	Prefinished	Black	Coordinate with building material 2a, 3
4 CIP concrete	Smooth		Coordinate with building material 6

CREGWITCH PIXON ARCHITECTS INC

Cregwitch Pixon Architects Inc.
940 Dunsmuir Street Victoria, BC V8V 0E5
Tel: 250-386-7794 Fax: 250-386-7795
www.cparch.ca
250.386.7794
250.386.7795

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Client: Atlas Struggled Holdings Ltd.
Project Address: 1848 Sooke Road
Project Name: Madill Office and Warehouse
Drawn By: MM
Checked By: GP
Scale: as noted
Date: 2019.11.15
Revision No.: 00
Sheet No.: A07
Issued for: DPA
Stamp: —
Revision: —

Madill Office and Warehouse

902 Ludlow Road, Ladysmith, BC

Schedule B - Elevation Plans & Exterior Materials
DP 3060-19-19
902 Ludlow Road
Page 4 of 4

LADYSMITH

TOWN OF LADYSMITH DEVELOPMENT PERMIT

(Section 489 *Local Government Act)*

FILE NO: 3060-19-19

DATE: February 4, 2020

Name of Owner(s) of Land: Atlas Shrugged Holdings Ltd., Inc. No. 1196043

Applicant: David Poiron (Checkwitch Poiron Architects, Inc.)

Subject Property: 902 Ludlow Road

---

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 A, District Lot 24, Oyster District Plan EPP71248 (PID: 030-553-164)
   (referred to as the "Land")

3. This Permit has the effect of authorizing the issuance of a building permit for the construction of a building on the Land in accordance with the plans and specifications attached to this Permit, and subject to all applicable laws.

4. The Permittee, as a condition of the issuance of this Permit, agrees to:
   (a) Develop the Land as shown in:
   Schedule A: Site Plan
   Schedule B: Elevation Plans & Exterior Materials

   (b) Provide Landscaping in accordance with:
   Schedule C: Landscape Plans

5. This Permit is issued on the condition that the Permittee has provided to the Town of Ladysmith security in the form of an irrevocable Letter of Credit to guarantee the performance of the conditions in section 4(b) of this Permit respecting landscaping. The Letter of Credit shall be for a period of two years, shall be automatically extended, and shall be in the amount of $ 129,880.

6. Should the Permittee fail to satisfy the conditions referred to in section 6 and 7 of this Permit, the Town of Ladysmith may undertake and complete the works required to satisfy the landscaping condition(s) at the cost of the Permittee, and may apply the security in payment of the cost of the work, with any excess to be returned to the Permittee.

7. Should there be no default as herein provided, or where a Permit lapses, the Town of Ladysmith shall return any security provided to the Permittee.

8. If the Permittee does not substantially start any construction permitted by this Permit within **two years** of the date of this Permit as established by the authorizing resolution date, this Permit shall lapse.

9. The plans and specifications attached to this Permit are an integral part of this Permit.

10. 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 3060-19-19 or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.

11. This Permit prevails over the provisions of the Bylaw in the event of conflict.

12. Despite issuance of this permit, construction may not start without a Building Permit, Access Permit, or other necessary permits.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH ON THE 4TH DAY OF FEBRUARY 2020.

Mayor (A. Stone)

Joanna Winter (Apr 9, 2020)

Corporate Officer (J. Winter)

I HEREBY CERTIFY that I have read the terms and conditions of the Development 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 **Atlas Shrugged Holdings Ltd., Inc. No. 1196043** other than those contained in this permit.

Signed	Witness
PRESIDENT	Shipping & Receiving
Title	Occupation
FEB 7/20	Feb 7/2020
Date	Date

STAFF REPORT TO COUNCIL

Report Prepared By: Camelia Copp, Revenue Accountant
Report Approve by: Erin Anderson, Director of Financial Services
Meeting Date: September 7, 2021
File No: 1820-01
RE: **Adjustment to Water Billing Account**

RECOMMENDATION:

That Council provide a water leak adjustment in the amount of $11,758.45 for billing account #000 1124000.

EXECUTIVE SUMMARY:

The purpose of this staff report is to present to Council a request for an adjustment to a water bill due to a water leak. The dollar amount of the adjustment is greater than the $3,000 authorized by the Director of Finance and requires the approval of Council to adjust the billing amount.

PREVIOUS COUNCIL DIRECTION:

In 2017, Council approved the following amendment to Section 39(3) of "Waterworks Regulation Bylaw 1999, No. 1298":

> *Where any account is rendered pursuant to this section, the Director of Finance, in estimating the account, shall consider previous billing periods when such meter was registering correctly, seasonal variations, changes in occupancy, and any other factors which, in the opinion of the Director, may affect the consumption of water. The maximum adjustment amount is $3,000 per account.*

INTRODUCTION/BACKGROUND:

Adjustments to water billing due to water breaks or leaks is permitted under Bylaw No. 1298". The adjustments are calculated using the consumption during the same period in the previous year as the baseline consumption.

Property owners are to repair the leak on their property within 45 days of notification of high consumption. The notification could be in the form of a notice placed at the property during the meter reading, a letter sent from the Town or the utility bill. Property owners can apply for one leak adjustment within a ten-year period.

The property owners of Account #000 112400 discovered a water leak on the main line connecting the meter to the house, on June 11, 2021 and immediately contacted a plumber.

The leak was repaired on June 14, 2021 and consumption has returned to usual. Town staff replaced the meter at the same time. The total water loss was 4,847m^3 resulting in an adjustment for $11,758.45.

ALTERNATIVES:

Council can choose to:

1. Not provide an adjustment to the water billing account.
2. Increase or lower the threshold amount delegated to staff.

FINANCIAL IMPLICATIONS:

Adjustments to water billing accounts affect the water revenues.

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Citizens are encouraged to quickly repair any water leak when it is discovered. The incentive of a potential adjustment supports repairs made in a timely manner.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Public Works Utilities Department is involved in reading the meters, notifying property owners of high consumption and monitoring consumption until it returns to a normal range. Finance calculates the billing and any subsequent adjustments.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

☐Complete Community Land Use
☐Green Buildings
☐Innovative Infrastructure
☐Healthy Community
☒ Not Applicable
☐ Low Impact Transportation
☐ Multi-Use Landscapes
☐ Local Food Systems
☐ Local, Diverse Economy

ALIGNMENT WITH STRATEGIC PRIORITIES:

☐Infrastructure
☐Community
☐Waterfront
☐ Economy
☒ Not Applicable

I approve the report and recommendation(s).

Allison McCarrick, Chief Administrative Officer

STAFF REPORT TO COUNCIL

Report Prepared By: Erin Anderson, Director of Finance
Reviewed By: Allison McCarrick, CAO
Meeting Date: September 7, 2021
File No:
Re: **Fingerprint Fees**

RECOMMENDATION:

That Council authorize the use of the Grant in Aid budget to fund the $25 fee charged for fingerprinting for Indigenous people who are reclaiming their traditional name.

EXECUTIVE SUMMARY:

Indigenous people wishing to reclaim their traditional names on official documentation are often required to submit fingerprints to the RCMP. The fingerprinting fee is charged by the Town and the revenue is used to offset policing costs. It is recommended that the fee charged in this instance is essentially waived for the individual requesting the service, and funds set aside in the Grant in Aid budget for Council's discretion are used to offset the loss in revenue.

PREVIOUS COUNCIL DIRECTION:

N/A

INTRODUCTION/BACKGROUND:

As part of the Truth and Reconciliation Commission of Canada – call to action[1], #17 states:

> *We call upon all levels of government to enable residential school Survivors and their families to reclaim names changed by the residential school system by waiving administrative costs for a period of five years for the name-change process and the revision of official identity documents, such as birth certificates, passports, driver's licenses, health cards, status cards, and social insurance numbers.*

Often, fingerprints are used to establish identity. The process to apply for fingerprinting in Ladysmith involves a fee of $25 charged, by bylaw, to offset the detachment cost for performing the task. It is recommended that this fee be essentially waived for the people working through this name-change process, and funds set aside in the Grants in Aid budget are used to cover the cost.

ALTERNATIVES:

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[1] Truth and Reconciliation Commission of Canada, United Nations., National Centre for Truth and Reconciliation, Truth and Reconciliation Commission of Canada., Truth and Reconciliation Commission of Canada., & United Nations. (2015). *Truth & reconciliation: Calls to action.*

Council can choose to:

1. Continue to charge the full fee.
2. Amend "Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644".

FINANCIAL IMPLICATIONS:

In 2019, before COVID-19, the Town received $1,775 for fingerprinting.

To date, there is $2,350 remaining in Council discretion – Grant in Aid funds.

LEGAL IMPLICATIONS:

The fingerprint fee is established by bylaw.

This fee would only be waived for eligible people within the Ladysmith detachment boundary.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

If approved, the Finance Department would work with the RCMP detachment to ensure the necessary steps are completed each time a request for fingerprinting is made.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

☐Complete Community Land Use
☐Green Buildings
☐Innovative Infrastructure
☐Healthy Community
☒ Not Applicable
☐ Low Impact Transportation
☐ Multi-Use Landscapes
☐ Local Food Systems
☐ Local, Diverse Economy

ALIGNMENT WITH STRATEGIC PRIORITIES:

☐Infrastructure
☒Community
☐Waterfront
☐ Economy
☐ Not Applicable

I approve the report and recommendation(s).

Allison McCarrick, Chief Administrative Officer

LADYSMITH/STZ'UMINUS

POVERTY REDUCTION STRATEGY

COMMUNITY TOGETHER TO END POVERTY
HW-NUTS'-ULWUM

LADYSMITH

In Ladysmith and Stz'uminus working as one

COMMUNITY TOGETHER TO END POVERTY

HW-NUTS'-ULWUM (AS ONE)

This strategy was created on the traditional lands of the Stz'uminus First Nation.

TABLE OF CONTENTS

Acknowledgements **5**
Executive Summary **6**
Compounding Impacts of COVID-19 Pandemic 7
What is Poverty? **8**
Canada's Colonial History and the Impact on Indigenous People 9
Living in Ladysmith and Stz'uminus **10**
Background Context 10
Community Planning that Supports Poverty Reduction 10
The Naut'sa mawt Community Accord 11
Realities of Living in Ladysmith and Stz'uminus that Disproportionately Affect those Living in Poverty 12
CommUNITY Vision and Principles for Ending Poverty Together **13**
Our CommUNITY's Vision 13
CommUNITY Values 13
CommUNITY Principles 13
Poverty Themes & Recommended Actions **14**
Affordable Housing and Adequate Living Conditions 15
Public Transportation 19
Addressing Stigma, Discrimination and Racism 21
Food Security 23
Access to Education and Employment Options 25
Access to Mental Health and Addiction Services 28
Access to Health Care Services 30
Physical Health & Wellness 32
Adequate Income Supports and the Means to Make Ends Meet 34
Mental Discomfort and Stress 37
Community Level Impacts **41**
A Path Forward to Implementation **42**
Closing Remarks **43**
Appendices **45**
A: Project History, Goals and Timeline 45
B: Community Engagement Summary 47
C: Innovative Ideas from Other Communities 52
D: Community Agencies, Services, Capacity and Wishlist 57
E: Questionnaire Questions 61
F: List of Literature/Documents Reviewed and/or referenced 62
Sources **66**

ACKNOWLEDGEMENTS

We would like to acknowledge and thank the many community members in Ladysmith and Stz'uminus who took the time to contribute to the CommUNITY Together to End Poverty Hw-nuts'-ulwum (As One) Project. We would also like to acknowledge:

- Project Peers
- Community Champions
- Poverty Challengers
- Poverty Reduction Plan Working Group Members
- Stz'uminus First Nation
- Town of Ladysmith
- Ladysmith Chamber of Commerce
- Ladysmith Rotary Club
- Jill Zacharias and the Tamarack Institute team
- Jemma O'Malley and Ryan Watson from Social Planning Cowichan

EXECUTIVE SUMMARY

The CommUNITY Together to End Poverty Hw-nuts'-ulwum (As One) project is a solutions-focused approach to reducing poverty in Ladysmith and Stz'uminus. This strategy has been developed through engaging local residents about the challenges experienced by people living in poverty. It is a plan that has been created by the community, for the community.

This process, led by Social Planning Cowichan began thanks to a grant through UBCM's Poverty Reduction Planning & Action program that identified the need for local communities to design their own poverty reduction plans based on their unique challenges and experiences of poverty in order to address it in tandem with the TogetherBC Poverty Reduction Plan.

In the Cowichan Valley North health profile area that includes Ladysmith and Stz'uminus, 2,375 adults, 2,438 seniors and 3,132 children and youth (<18) are low income and struggle to make ends meet[1]. If we do our part to meet provincial targets set out in the Province's Poverty Reduction Strategy Act – to reduce 25% of BC's overall poverty rate and reduce 50% of the number of children living in poverty by 2024 - we would need to lift 593 adults, 609 seniors and 1,566 children out of poverty here in Ladysmith and Stz'uminus.

The CommUNITY Together to End Poverty Hw-nuts'-ulwum project started with the formation of a Working Group that included members from various organizations who guided the public engagement process. (See Appendix A for the Project Description, Goals and Timeline). A key strength of the engagement process was to work with peers - people with lived experience of poverty. Peers reached out to others in the community to conduct one-on-one interviews and promoted the project in the community. Community champions were important to promote the project within their networks. It's through our relationships in the community, and making new connections that will help to solve the challenges of poverty.

Community engagement tools included an online questionnaire, one-on-one interviews, shared stories and experiences, virtual presentations, and the exchange of actions and reflections from community members who took part in a series of poverty challenges.

[1]Based on 2016 census, and a total population of 21,018 from www.islandhealth.ca/sites/default/files/cowichan-valley-north-local-health-area-profile.pdf

LOW INCOME POPULATION IN COWICHAN VALLEY NORTH

11.3%	11.6%	14.9%
ADULTS	SENIORS	YOUTH

Ten Poverty Themes were identified through the community engagement process including:

- Affordable Housing and Adequate Living Conditions
- Public Transportation
- Addressing Stigma, Racism and Discrimination
- Food Security
- Access to Education and Employment Options
- Access to Mental Health and Addiction Services
- Access to Health Care Services
- Physical Health & Wellness
- Adequate Income Supports and the Means to Make Ends Meet
- Mental Discomfort and Stress.

The process also identified a CommUNITY vision, values and guiding principles. The community identified actions big and small that have resulted in Recommended Actions for each Poverty Theme.

What was acknowledged going into this project and confirmed throughout is that poverty is complex and it impacts people in many different ways. Many of the challenges are interrelated, meaning that reducing poverty will take more than a single action taken by any one organization. A key finding of the recommendations contained within this report is the requirement for collective action on the part of all levels of government (federal, provincial, First Nations and local governments), community organizations, service groups, schools, businesses and individual community members.

The hul'q'umi'num word that defines this project, Hw-nuts'-ulwum means as one. We will only end poverty through the sum of our parts - many actions happening by many hands working as one, hw-nuts'-ulwum.

COMPOUNDING IMPACTS OF COVID-19 PANDEMIC

The COVID-19 pandemic has exacerbated challenges for those living in poverty and highlighted the short falls in our existing systems especially those identified through this project. The Public Health Orders have affected both structured and informal ways that people manage their day to day lives, in particular access to the basic supports that often come from family, friends and/or community. Some examples include ways of getting around (e.g., ride shares), accessing mental health or addictions services, and the added stresses caused by social isolation.

It is important to note that at the time of publishing this strategy, 2021 Census data is being collected so a more accurate understanding of populations, demographics, household income, housing characteristics, and education levels will become available.

WHAT IS POVERTY?

Living in poverty is much more than simply not having enough money to make ends meet. Poverty affects all aspects of life - where a person lives, what they eat, what they do, how they cope and how they provide for themselves or their families.

People may equate poverty with homelessness and outside of that, there is often a denial that poverty exists in the places we live. Poverty exists on a spectrum, and the truth is that many who live below the poverty line and struggle to make ends meet often hide it well. Poverty extends beyond just homelessness and encompasses many areas of a person's life and it is a challenge to define due to its sweeping impacts.

Poverty may on the surface look like the person who does not have stable housing but cannot afford other basic necessities or a family living pay cheque to pay cheque, trying just making it through each month however, poverty is challenging, messy and requires complex and flexible solutions.

Routine decisions can become an ongoing stress; those living in poverty often have to choose between paying for phone, Internet, food for the week, new shoes for a growing child or fueling up the car to get to work.

Community engagement captured many stories of parents not being able to put their children in extracurricular activities due to the costs and the limited time to take them; seniors on a fixed pension struggling to pay the rising costs of taxes, insurance and utility bills and costs for health care; a single person receiving social assistance or disability living in substandard housing conditions; or a young person working a minimum wage job not being able to get post-secondary schooling because they don't have the money for tuition or transportation to get there.

For some, living in poverty is something they have experienced their whole life, and for others it may be due to life-changing circumstances such as an illness, injury, job loss, relationship change, or the loss of a family member. Regardless, breaking the cycle of poverty requires accessing the resources a person needs, when they need them the most.

Canada's Colonial History and the Impact on Indigenous People

The impacts of colonial Canadian history on Indigenous individuals and communities is the most pressing and complex issue in Canada. Colonization and ongoing colonial systems impact Indigenous and Canadian identities, relationships, governance, resource development, health care, and education. Within every Indigenous community in Canada, the legacy of residential schools and other genocidal policies has resulted in trauma, intergenerational trauma and lateral violence. The impacts can be seen in the disproportionate number of Indigenous people affected by the interconnected issues of poverty, substance abuse, homelessness, incarceration, suicide rates and health challenges.

Hw-nuts'-ulwum (As One)

The hul-q-umi-num word that defines the project, Hw-nuts'-ulwum means, "as one".

We will only end poverty through the sum of our parts - many actions happening by many hands working as one - hw-nuts'ulwum.

Chosen with guidance
from Stz'uminus Councillor
Margaret Seymour

LIVING IN LADYSMITH AND STZ'UMINUS

Background Context[2]

The Town of Ladysmith and Stz'uminus First Nation is located on the east coast of Vancouver Island overlooking the Salish Sea surrounded by mountain views with lush forests and valleys. Part of the Cowichan Valley Regional District, the communities are south of the larger city centres of Nanaimo and north of Duncan.

Between 2011 and 2016, Ladysmith's population increased by 13%, from 7,390 to 8,360 residents, faster than the rate of growth across the Cowichan Valley Regional District (CVRD) as a whole. Ladysmith residents are slightly older than the average age across the CVRD, with the average age in Ladysmith increasing from 42.5 to 46.4 between 2006 and 2016. In 2016, Ladysmith had a median household income of $67,584, close to the regional median. Ladysmith's unemployment rate is consistently below that of the region as a whole, increasing slightly from 5.8% in 2006 to 6.3% in 2016. In the Cowichan Valley North health area profile (that includes Ladysmith and Stz'uminus), 2,375 adults, 2,438 seniors and 3,132 children and youth (<18) are low income and struggle to make ends meet[3] .

Community Planning that Supports Poverty Reduction

The long-term community vision for the Town of Ladysmith is described in its 2020-2023 Strategic Plan as follows:

VISION: Ladysmith is a diverse and well-managed municipality that reflects the quality of its people, where we work together as stewards of our assests, environment and economy.

MISSION: A safe, caring and vibrant community.

A number of Guiding Principles from the Strategic Plan that are most relevant to poverty reduction are:

- Live and work with Stz'uminus First Nation and achieve gains that benefit our shared communities
- Build a community that is safe, affordable and accessible for all ages, incomes and abilities
- Work in collaboration with community partners at every opportunity

[2]From:Town of Ladysmith Sub-regional Housing Needs Assessment Report. January 2021 https://www.cvrd.ca/DocumentCenter/View/99731/1---Snapshot
[3]Based on 2016 census, and a total population of 21,018 from www.islandhealth.ca/sites/default/files/cowichan-valley-north-local-health-area-profile.pdf

AVERAGE AGE

46

Ladysmith; 2016 Census

MEDIAN HOUSEHOLD INCOME

$67,584

Ladysmith; 2016 Census

Several community strategies and plans guide the current and future priorities of the Town; The Ladysmith Economic Development Strategy, Youth Plan and Town of Ladysmith Age-Friendly: Walkability/Accessibility Project 2018 are most relevant to poverty reduction actions.

Naut'sa Mawt is a hul'q'umi'num word meaning "working together as one."

The Naut'sa mawt Community Accord

Since 2007, Stz'uminus First Nation and the Town of Ladysmith have been working to build relationships and partnerships on matters of common interest through the Naut'sa mawt Community Accord, which has been updated over the years to include:

- a new section on implementing joint initiatives;
- a commitment to joint education and communications;
- a pact to develop further agreements together; and
- language that better reflects the respect and strengthened relationship between the two communities.

POVERTY CHALLENGES

One of the successful methods of engagement was community participation in the Poverty Challenges. Community members, including local leaders, were invited to participate in one of three Poverty Challenges, designed to bring awareness to local poverty issues.

1. Food Allowance Challenge: Participants were asked to live off a food allowance budget based on an average income of social assistance/disability/minimum wage for three days.
2. Public/Active Transportation Challenge: Participants were asked to use only public or active transportation for three days.
3. 12-Hour "Nowhere To Go" Challenge: Participants were asked to spend 12 hours out in the community with nowhere to go.

Participants filled out a reflective journal and/or participated in an virtual debrief session to share their experiences and identify poverty reduction actions and solutions. Some participants shared their experiences through social media which included posts by the local MP Paul Manly and Mayor Aaron Stone.

https://www.communitytogethertoendpoverty.ca/poverty-challenge-week

Realities of Living in Ladysmith and Stz'uminus that Disproportionately Affect those Living in Poverty

Every community has its unique challenges to overcome with addressing poverty and the same applies in the Ladysmith and Stz'uminus area.

This document recognized the Living Wage for the Ladysmith area to be $19.10/hour based on local estimates for rent, food, and childcare. Living wage refers to an hourly wage that allows employees and their families to meet their basic needs.

In a small town such as Ladysmith with fewer employment options many people employed in a part-time or even full-time minimum wage position don't earn a liveable wage[4].

Ladysmith is a hub for the area, however lacks local post secondary education options, with students having to travel to Nanaimo, Duncan or beyond if they want to study. As in many other communities on the island, there are few options for affordable housing whether you are a single family, senior, or individual. These realities are inter-connected and the limited public transportation system in the Ladysmith and Stz'uminus area makes it a critical concern for those living in poverty. For example, if you don't have a reliable car, poor public transit makes it hard to get to work or access medical services. If you have any physical challenges, the geography of the Town of Ladysmith makes access difficult. If public transportation were improved, all other themes would see some level of improvement.

[4]www.livingwageforfamilies.ca/living_wage_calculator

COMMUNITY VISION AND PRINCIPLES FOR ENDING POVERTY TOGETHER

What does poverty look like for Ladysmith and Stz'uminus residents and how do we go about ending poverty in our communities? This project aimed to create a solutions-focused approach to reducing poverty in our communities by engaging a wide cross-section of community members, including those with lived experience. Responses to all the questions asked included ideas about how we should take action as a community. In particular, when asked "How will we know when we have ended poverty?" These responses formed the basis for our CommUNITY's vision, values and guiding principles for how we should take action.

Our CommUNITY's Vision

Our CommUNITY will end poverty when we understand and make decisions acknowledging that:

- Everyone has equal value
- Everyone has something to contribute
- Everyone deserves a happy and healthy life

CommUNITY Values

RESPECT | INCLUSION
DIGNITY | CARING
SAFETY | BELONGING

CommUNITY Principles

- Demonstrate that we are a caring community, that is committed to supporting each other
- Ask others what they need - don't assume - and engage those with lived experience in a meaningful way
- Spread random acts of kindness
- Achieve a greater impact by working together
- Involve everyone to find a way to participate
- Understand that our differences are our strengths
- Know that change starts within - we are all responsible for our own learning and commitment to better understand the impacts of poverty
- Recognize that many living in poverty have experienced trauma that may affect different areas of their life

POVERTY THEMES AND RECOMMENDED ACTIONS

Ten Poverty Themes were identified through the community engagement process:

- **Affordable Housing and Adequate Living Conditions**
- **Public Transportation**
- **Addressing Stigma, Racism and Discrimination**
- **Food Security**
- **Access to Education and Employment Options**
- **Access to Mental Health and Addiction Services**
- **Access to Health Care Services**
- **Physical Health & Wellness**
- **Adequate Income Supports and the Means to Make Ends Meet**
- **Mental Discomfort and Stress**

The community identified actions big and small that have resulted in Recommended Actions for each Poverty Theme.

What was acknowledged going into this project and confirmed throughout is that poverty is complex and it impacts people in many different ways. Many of the challenges are interrelated, meaning that ending poverty will take more than a single action taken by any one organization. A key finding of the recommendations contained within this report is the requirement for collective action on the part of all levels of government (federal, provincial, First Nations and local governments), community organizations, service groups, schools, businesses and individual community members. The Hul'q'umi'num word that defines this project, Hw-nuts'-ulwum means "as one". We will only end poverty through the sum of our parts - many actions happening by many hands working as one, hw-nuts'-ulwum.

AFFORDABLE HOUSING AND ADEQUATE LIVING CONDITIONS

A Regional Housing Needs Assessment[5] completed for the Cowichan Valley Regional District and sub-regions in 2021 found that:

- **Housing sizes are unsuitable for resident needs:** For example, seniors in homes that are too large to manage or young families or First Nations families without adequate space.
- **Cowichan Valley, especially Ladysmith is home to an aging population:** Seniors and others living on low wages and fixed incomes are especially vulnerable to unstable housing conditions.
- **Younger generations are having housing challenges:** This includes finding affordable rentals and entering the market as first time home owners.
- **There is an acute shortage of rental housing:** There is a need for more rental options, including more purpose-built rentals to meet housing challenges in the CVRD, especially for young families, youth, Indigenous people, those with mental health challenges, singles and seniors. Young people, newcomers, renters with young children, renters with pets, and renters with disabilities were more likely to have been refused rental housing.
- **Current housing options are not adequately sized or culturally appropriate for First Nations:** Overcrowding in housing units is often a challenge and the need is for larger single family homes to house large, multi-generational families but also for those wanting to live on their own.
- **There is a need for more non-market housing rentals, including supportive, and emergency housing options.**
- **Affordable housing for families is hard to find:** Homes for rent or purchase that are suitable for families have become prohibitively expensive and as such affordable family housing stock is at a minimum.

Affordable housing is defined as **30% OF INCOME OR LESS**[6]

[5]From Regional Housing Needs Assessment (2021): https://www.cvrd.ca/DocumentCenter/View/99617/Regional-Housing-Needs-Assessment---1---Report?bidId=
[6]www150.statcan.gc.ca/n1/pub/75f0002m/75f0002m2020003-eng.htm

AFFORDABLE HOUSING AND ADEQUATE LIVING CONDITIONS

WHY THIS IS IMPORTANT

Access to affordable housing (30% of income[6]) and safe and healthy living conditions are critical to health and wellbeing.

CHALLENGES WE HEARD

Finding safe, affordable housing is a serious concern, especially for those living on income supports. This means that many people live in less than ideal housing situations and under unsafe or unhealthy living conditions.

Low income families are particularly challenged to finding affordable housing in suitable neighbourhoods near schools and employment. The regional housing assessment found that parents experience housing discrimination if they have young children and are vulnerable to the risk of rental units being sold. At the local level, Ladysmith has an average rent cost of $950 meaning that low income renters spend 42% or higher of their income on rent and utilities for a one-bedroom and 80% of their income for a two-bedroom.

It is projected that in 2025 the Town of Ladysmith will need an additional 510 units of housing, many of which should be one-bedroom units. In 2019, 19% of Ladysmith's households were in core housing need and 2% were in extreme core housing need[7].

The Town of Ladysmith recognizes secondary suites as an "excellent way to offer affordable housing in the community both for renters and home-owners who need a mortgage helper."[8] An amendment was made to the Zoning Bylaw in 2011 to allow secondary suites within a single unit dwelling in the Town[9]. Building requirements for coach houses are outlined in Development Permit Area 10 that provides guidance for residential neighbourhoods[10]. Development Permit Area 4 permits multi-unit residential projects that must follow, among other factors, livability and accessibility requirements. For instance, "buildings and sites should be designed to be accessible to all users, including the elderly, children, and people with disabilities"[11].

Increasing the general supply of overall market housing will help to improve housing stock across the full spectrum of housing needs, however, government funding and/or land contributions for non-market rental units partnered with non-profits, land trusts and others will remain a high priority for increasing the rental stock.

[6] www150.statcan.gc.ca/n1/pub/75f0002m/75f0002m2020003-eng.htm
[7] https://www.cvrd.ca/DocumentCenter/View/99722/1---Snapshot
[8] https://www.ladysmith.ca/docs/default-source/b-d---informational-documents-2021/secondary-suites-frequently-asked-questions.pdf?sfvrsn=925a396c_15
[9] Ladysmith Business & Development, Secondary Suite and Coach House: https://www.ladysmith.ca/docs/default-source/b-d---informational-documents-2021/secondary-suites-frequently-asked-questions.pdf?sfvrsn=925a396c_15
[10] Town of Ladysmith Development Permit Areas. (2020). Schedule A.1 of The Town of Ladysmith Official Community Plan. pg. 1-72. https://www.ladysmith.ca/docs/default-source/b-d---informational-documents-2021/schedule-a-1---development-permit-area-guidelines.pdf?sfvrsn=796adad_36
[11] Ibid.

AFFORDABLE HOUSING AND ADEQUATE LIVING CONDITIONS

RECOMMENDED ACTIONS

	Who should participate?			
Recommended Actions	**Federal**	**Provincial**	**ToL/SFN/ SD68/ CVRD***	**Individuals/ Organizations**
Support Affordable Housing Options				
Work with the Cowichan Housing Association to develop a strategy and determine best options for establishing innovative partnerships to finance, build and manage non market rentals.	✓	**BC Housing**	**ToL CVRD**	**Cowichan Housing Association Services clubs; Community organizations**
Consider an incentive program for promoting the constructions of Secondary Suites and/ or Coach Houses. This program could be promoted for a limited time to encourage immediate uptake. Some examples could include a reduction in taxes for a limited period of time or waiving of full or partial development cost charges, building permit fees, etc.		✓	**ToL**	**Community organizations; Private Citizens**
Encourage new housing developments to include potential hook up of a secondary suite.			**ToL**	**Developers**
Partner with Federal/Provincial Governments to purchase existing buildings and/or partner with Faith-based organizations who own property to repurpose existing buildings and/or construct affordable housing.	**Ministry of Water, Property and Housing**	**BC Housing**	**ToL CVRD**	**Faith-based organizations; Non-profit organizations; Individuals**
Strategically upzone to encourage higher density and infill development.		**Ministry of Municipal Affairs and Housing**	**ToL**	**Community input through OCP**
Lobby the Province to revise the Provincial Building Code to permit the use of tiny homes for infill.		**Ministry of Municipal Affairs and Housing**	**ToL**	**Cowichan Housing Association**
Develop policy to require a minimum percentage condition for affordable housing units and/or contributions towards an affordable housing fund.			**ToL**	**Cowichan Housing Association**
Advocate for financial institutions to better support financing of non-market and rental housing.	✓	✓	**ToL**	**Cowichan Housing Association; Development Community; Financial Agencies**

*Town of Ladysmith (ToL), Stz'uminus First Nation (SFN), School District 68 (SD68), Cowichan Valley Regional District (CVRD)

AFFORDABLE HOUSING AND ADEQUATE LIVING CONDITIONS[5]

RECOMMENDED ACTIONS CONT.

	Who should participate?			
Recommended Actions	**Federal**	**Provincial**	**ToL/SFN/ SD68/ CVRD***	**Individuals/ Organizations**
Enhance Housing Support and Amenities for Homeless Population				
Improve shelter facilities for year round use.		**BC Housing**	**ToL**	**LRCA; Cowichan Housing Association**
Establish a fund to support emergency rental assistance.				**Community organizations; Individuals; Cowichan Housing Association**

See Appendix C to learn about how other rural communities have undertaken Affordable Housing complexes.

*Town of Ladysmith (ToL), Stz'uminus First Nation (SFN), Nanaimo/Ladysmith School District 68 (SD68), Cowichan Valley Regional District (CVRD)

PUBLIC TRANSPORTATION

In Ladysmith, approximately 92% of commuters drove to get to work in 2016. Travelling one-way to work by car took an average of 23 minutes and by bus took an average of 47 minutes[12]. Due to vehicle dependence in getting around, transportation costs in Ladysmith are high but could be reduced with more focus on improving active and public transportation. Challenges with gaps in public transportation have been identified in multiple community plans ranging from the Official Community Plan and the Ladysmith Economic Development Strategy, to the Ladysmith Youth Plan and the Age-Friendly Report.

Due to the broad geographic nature of the Regional structure of the public transportation system, there are limitations to how each municipality is able to fund their localized services leaving gaps in areas such as Saltair, North Oyster, the Diamond Improvement District, Campers Corner area, Stz'uminus First Nation and others.

- There is no public transportation available north of 1st Avenue and the Island Highway including between Stz'uminus First Nation and Ladysmith or the North Oyster/ Diamond and Saltair CVRD Areas H and G.
- Transportation between Ladysmith and the bigger centres of Duncan and Nanaimo is infrequent.

In May 2021, it was announced that BC Transit will be introducing seven new routes for connections between Ladysmith and

WHY THIS IS IMPORTANT

The geography of Ladysmith, the distance between the communities of Ladysmith and Stz'uminus and other unserviced areas outside the town, and the absence of regular public transportation present a significant local challenge for accessing services and employment.

CHALLENGES WE HEARD

Access to public transportation in the Ladysmith and Stz'uminus area is a critical concern for those living in poverty. If you don't have a reliable vehicle, poor public transportation affects every aspect of life, including where you can work, getting groceries, accessing medical appointments or attending post-secondary institutions. For those with physical challenges, the geography of the Town of Ladysmith makes getting around difficult without a vehicle or frequently available public transportation.

[12]Town of Ladysmith Sub-regional Housing Needs Assessment Report. January 2021 https://www.cvrd.ca/DocumentCenter/View/99731/1---Snapshot

PUBLIC TRANSPORTATION

Nanaimo, starting in March 2022. This will include connectivity to the Nanaimo Airport, BC Ferries terminals, Vancouver Island University, Nanaimo General Hospital and the rest of the Regional District of Nanaimo transit network.

At the same time, throughout 2021, a Cowichan Valley Transit Future Action Planning stakeholder and community engagement process is underway to help prioritize various improvements in the Transit Future Action Plan to better the system according to demand, route performance, and funding in the next few years. This is an opportunity to bring forward what we have heard through community input on suggested improvements to access for Ladysmith/Stz'uminus residents.

See Appendix C to learn about Gabriola's Environmentally Responsible Trans-Island Express (GERTIE), a community bus service run by the Gabriola Community Bus Foundation

RECOMMENDED ACTIONS

	Who should participate?			
Recommended Actions	**Federal**	**Provincial**	**ToL/SFN/ SD68/ CVRD***	**Individuals/ Organizations***
Improve Local Transportation with Regional Connections				
Establish a focus group with representatives from Stz'uminus First Nation, CVRD, BC Transit, the Town of Ladysmith and interested community members to explore solutions to create connectivity between communities and other areas not serviced by public transit and to Increase frequency of existing routes within Ladysmith and trips south to the rest of the Cowichan Region.		**BC Transit**	**ToL SFN SD68 CVRD RDN**	**Everybody; Community Engagement**
Participate in engagement and planning with Regional District of Nanaimo, CVRD and BC Transit on the new routes between Nanaimo and Ladysmith scheduled for Spring 2022.		**BC Transit**	**ToL SFN SD68 CVRD RDN**	**Current & potential transit users**
Explore interim/long-term transportation options for connecting Stz'uminus First Nation and the Town of Ladysmith.			**ToL SFN**	**Community Engagement**
Affordability - Improve access and availability of existing bus service for low income individuals and families, including bus passes, companion passes for seniors, etc.				**Individuals**

*Town of Ladysmith (ToL), Stz-uminus First Nation (SFN), Nanaimo/Ladysmith School District 68 (SD68), Cowichan Valley Regional District (CVRD), Regional District of Nanaimo (RDN)

ADDRESSING STIGMA, DISCRIMINATION AND RACISM

Many people living in poverty feel stigma every day. During this project, people with lived experience have shared that poverty contributes to mental discomfort and stress, in particular they will often feel that preconceived notions or assumptions are made and they feel judged. Compounding this, many Indigenous people are confronted by racist attitudes and behaviours that determine where they may or may not feel welcome.

To address stigma, discrimination and racism, each of us must reflect on our own perceptions and conditioned beliefs, be curious and open-minded, listen to people's experiences and do the work to change our biases. By normalizing a continuing dialogue across sectors through community engagement and education activities, we can expand understanding about the issues and complexities of poverty.

See Appendix C for a local community workshop that is helping to increase understanding - Journey of Our Generation.

WHY THIS IS IMPORTANT

Addressing stigma, discrimination and racism is critical to reducing poverty in all forms and to create a more inclusive and welcoming community.

CHALLENGES WE HEARD

Stigma and discrimination make life challenging for those living in poverty. We must educate and build awareness to address stigma and counter public misconceptions about poverty. For Indigenous people in our communities, systemic racism affects all aspects of daily life. We must educate about the impacts of our colonial history and work together to change ongoing colonial systems that continue to negatively affect Indigenous community members.

ADDRESSING STIGMA, DISCRIMINATION AND RACISM

RECOMMENDED ACTIONS

	Who should participate?			
Recommended Actions	**Federal**	**Provincial**	**ToL/SFN/ SD68/ CVRD***	**Individuals/ Organizations***
Educate and Build Awareness to Eliminate Stigma, Discrimination and Racism				
Host community dialogues and workshops to build awareness and understanding about the truth of our colonial history and the ongoing impacts on Indigenous people across all sectors	**Local politicians**	**Local politicians; FNHA**	**ToL SD68 SFN**	**Business sector; Service agencies; Local non-profits (Kwumut Lelum...)**
Build and strengthen relationships between Indigenous and Non-Indigenous community members through coordinated activities, gatherings and events.			**ToL SFN SD68**	**Everybody**
Develop a social media campaign to address public misconceptions about poverty, including the causes and impacts of poverty and the social issues associated with poverty through sharing stories.			**ToL with working group partners**	**LRCA; Community agencies; Faith groups**
Showcase community organizations, businesses and individuals that support and uplift people living in poverty.			**ToL**	**Everybody**

*Town of Ladysmith (ToL), Stz-uminus First Nation (SFN), Nanaimo/Ladysmith School District 68 (SD68), Cowichan Valley Regional District (CVRD), Ladysmith Resource Community Centre (LRCA)

FOOD SECURITY

Compounded by the steady increase in the cost of groceries over the last decade, many people in poverty are challenged to prioritize healthy food options in their budget. For example, from 2019 to 2020 the price of fresh vegetables increased by 17%. The Canada's Food Price Report 2021 is forecasting that overall food prices will further increase between 3% and 5% for 2021[13].

There are some excellent partnerships that exist within Ladysmith and Stz'uminus already for sharing and donating food throughout the year. These programs can be broadened into an integrated community wide system to increase food availability, through production, harvesting, recovery, preparation and preservation. At the same time, it will foster community connections and inclusion, reduce stigma and increase people's dignity.

See Appendix C to learn about innovative community food initiatives from Duncan, Pender Island and North Vancouver.

WHY THIS IS IMPORTANT

Access to sufficient, safe, and nutritious food that meets personal preference and dietary needs is critical for an active and healthy life.

CHALLENGES WE HEARD

Many families in the Ladysmith and Stz'uminus area are not able to afford or access healthy food leading to hunger, poor health, and in some cases malnutrition. Community-donated food options may be limited for those who have allergies or dietary preferences. For those living in Stz'uminus and other outlying areas without public transportation, the food bank can be inaccessible due to transportation limitations.

FOOD PRICE INCREASE PREDICTIONS FOR 2021[13]

MEAT	BAKERY GOODS	VEGETABLES
4.5% to 6.5%	3.5% to 5.5%	4.5% to 6.5%

[13]Canada's Food PRice Report (2021). Dalhousie University and University of Guelph https://cdn.dal.ca/content/dam/dalhousie/pdf/sites/agri-food/Food Price Report 2021 - EN (December 8).pdf

FOOD SECURITY

RECOMMENDED ACTIONS

Recommended Actions	Who should participate?			
	Federal	Provincial	ToL/SFN/ SD68/ CVRD*	Individuals/ Organizations*
Design and implement an integrated healthy food system that is welcoming to all				
Establish a local Food Security Taskforce with membership from local and regional community agencies that are involved in addressing food security concerns, including LRCA, Stz'uminus First Nation, School District 68, service clubs, and community members.			**SD68 SFN**	**LRCA; LaFF; Service Clubs; Churches; Community Members**
Encourage community supported school breakfast and lunch programs for all children.			**SD68 SFN**	**Service Clubs**
Host community meals as social events for all ages that reduce stigma and increasing community connections				**Faith groups; Service Clubs, LRCA; LaFF; Community Members**
Establish more community gardens, shared garden spaces, fruit tree harvesting/gleaning & shared food preservation, and community seed, plants and fruit tree donations/exchanges			**ToL SD68**	**LRCA; Ladysmith Community Garden Society; Service Clubs; Businesses; Individuals**
Host free food-related workshops and community classes to learn about nutrition, gardening, composting, meal planning, cooking, baking, traditional food & medicine, etc.			**SD68**	**LRCA; Ladysmith Community Garden Society; Community members; Local social media exchanges**
Coordinate affordable bulk food purchases with food delivery for those in need				**LRCA**
Create neighbourhood food stands similar to book libraries				**Neighbourhood Associations; Individuals**

*Town of Ladysmith (ToL), Stz-uminus First Nation (SFN), Nanaimo/Ladysmith School District 68 (SD68), Cowichan Valley Regional District (CVRD), Ladysmith Resource Community Centre (LRCA)

ACCESS TO EDUCATION AND EMPLOYMENT OPTIONS

According to the 2016 Census data, the median after-tax income for individuals in Ladysmith in 2015 was $31,019, with 11.8% of the population considered low income. The unemployment rate for those of working age seeking work was 5.8%[14]. The 2021 Community Health Profile states that "Labour force participation has a significant effect on the mental and physical health of workers and their families, affecting a sense of identity and purpose, personal growth and supportive social contacts. Precarious employment can negatively influence health, for example, not being able to afford housing and access to nutritious food. These impacts also negatively impact mental health."[15]

The Ladysmith Economic Development Strategy states that one of six areas included in vision statements from the Stz'uminus First Nation Council is 'to be able to provide enhanced employment opportunities for our membership' and this holds true today in engaging with Stz'uminus Council[16].

Employers have the opportunity to create pathways out of poverty by developing inclusive employment practices and paying livable wages. Employers can implement practices that reduce barriers for low income job seekers such as on the job training, flexible work schedules and assistance to manage transportation challenges. "Living wage" refers to an hourly wage that allows employees and their families to meet their basic needs. We have calculated the Living Wage for the Ladysmith area to be $19.10/hour based on local estimates of rent, food, childcare and other costs.

LIVING WAGE FOR LADYSMITH AREA

$19.10 /HOUR

[14] https://www12.statcan.gc.ca/census-recensement/2016/dp-pd/prof/details/page.cfm?Lang=E&Geo1=CSD&Code1=5919804&Geo2=PR&Code2=59&SearchText=Cowichan+Valley+G&SearchType=Begins&SearchPR=01&B1=Income&TABID=1&type=0

[15] http://www.ourcchn.ca/files/Cowichan%20Communities%20Health%20Profile_FINAL%20Feb%207.pdf

[16] Ladysmith Economic Development Strategy Final Report. (2018). Vann Struth Consulting Group Inc. pg i-11. https://www.ladysmith.ca/docs/default-source/brochures-other-publications-2021/final-sept-19-ladsymith-economic-development-strategy.pdf?sfvrsn=d9dbe9db_2

ACCESS TO EDUCATION AND EMPLOYMENT OPTIONS

WHY THIS IS IMPORTANT

Access to affordable education and training leads to personal growth, independence and gainful employment opportunities. Opportunities for meaningful employment and benefits allows individuals to meet their basic needs and focus on personal health and wellness.

CHALLENGES WE HEARD

For those living in poverty, learning can be a struggle which leads to additional stress, lack of confidence, lower self-esteem and absenteeism. Students are less likely to graduate from high school and postsecondary education options are limited locally. The compounding complexity of living in poverty, fewer local employment opportunities available and challenges with transportation make it more difficult for some to lift themselves out of poverty.

In Ladysmith, 15.3% of the population do not have a high school diploma. According to the Public Health Agency of Canada (2013)[17], education and literacy give people the skills needed to problem solve and have a sense of control over their lives and that the level of education attained tends to increase opportunities for employment and improve access to healthy environments, allowing a person to make healthier lifestyle choices.

There is an opportunity for more coordinated effort to improve learning outcomes and success in the public school system for all students through apprenticeship and/or mentorship that also enhances cultural learning. This can be done by building on existing partnerships between SD68, Stz'uminus First Nation, Ladysmith Chamber of Commerce, the Ladysmith Downtown Business Association, WorkBC, Vancouver Island University and local businesses which can then carry on through employment.

See Appendix C to learn about the Indigenous Learning Recognition Portfolio program being offered at Cowichan Secondary.

[17] Public Health Agency of Canada. 2013. What Makes Canadians Healthy or Unhealthy? Available at: http://www.phac-aspc.gc.ca/ph-sp/determinants/determinantseng.php#unhealthy.

ACCESS TO EDUCATION AND EMPLOYMENT OPTIONS

RECOMMENDED ACTIONS

	Who should participate?			
Recommended Actions	**Federal**	**Provincial**	**ToL/SFN/ SD68/ CVRD/ EDC***	**Individuals/ Organizations***
Support Training, Education, and Employment Opportunities				
Educate employers on the costs and benefits for businesses to pay a living wage	✓	✓	**EDC**	**Ladysmith Chamber of Commerce; Businesses; Ladysmith Downtown Business Association; WorkBC**
Conduct a job market analysis for Ladysmith and Stz'uminus employment outlooks	✓	✓	**ToL SFN**	**Business Community**
Employer training, education and support to reduce barriers to recruit, hire and retain low-income people seeking employment, as well as understand Provincial changes to employment standards.	✓	✓	**ToL SFN EDC**	**Ladysmith Chamber of Commerce; Businesses; Ladysmith Downtown Business Association; WorkBC**
Local Chamber of Commerce to share Provincial TogetherBC Poverty Reduction initiatives that identify new ways to increase employment opportunities for people with disabilities and other barriers to employment.		✓	**EDC**	**Ladysmith Chamber of Commerce; Work BC; Community Links**
Develop cultural safety training and protocols for employers to create a business or work culture that supports First Nations employees to thrive.	✓	✓	**ToL SFN EDC**	**Ladysmith Chamber of Commerce; Businesses; Ladysmith Downtown Business Association; WorkBC**

*Town of Ladysmith (ToL), Stz-uminus First Nation (SFN), Nanaimo/Ladysmith School District 68 (SD68), Cowichan Valley Regional District (CVRD), Ladysmith Resource Community Centre (LRCA)

ACCESS TO MENTAL HEALTH AND ADDICTION SERVICES

Mental health challenges can be caused by a complexity of factors, including genetics, life situations, childhood trauma, and social isolation. Mental health disorders such as depression anxiety and substance abuse can be closely linked, although one doesn't necessarily directly cause the other. Alcohol and drugs are often used to self-medicate the symptoms of mental health problems, such as an undiagnosed mental disorder, to cope with difficult trauma or emotions, or to temporarily change one's mood. They can also increase the underlying risk for mental disorders. Mental health and addictions don't discriminate and can affect individuals regardless of age, ethnicity or socio-economic class.

WHY THIS IS IMPORTANT

Poverty through all stages of life can cause poor mental health through social stresses, stigma and trauma. Untreated mental health challenges can lead to employment, housing, and health challenges, and strained social relationships.

CHALLENGES WE HEARD

There is a lack of access to mental health services and support to meet the increasing demand. There are limited services or supports available for substance use, addictions or alcoholism. Without detox a person can't get into treatment. Untreated mental health and addictions compound other social issues. Often people don't use services due to stigma.

> "Poverty is both the cause *and* effect of trauma which creates a vicious cycle for individuals and future generations."
>
> Tamara O'Connor[18]
> Research and Community Engagement Associate

[18] https://cwp-csp.ca/2019/08/change-is-a-double-sided-coin-an-excerpt-on-poverty-trauma/

ACCESS TO MENTAL HEALTH AND ADDICTION SERVICES

There are counselling and other support services available in Ladysmith, however some are only available at a cost that is inaccessible for low income individuals and families. The obstacles to accessing mental health services in larger centres may be mentally and emotionally insurmountable, especially when transportation is a barrier.

Addictions can affect all aspects of a person's life and in some cases it may be hard to maintain or find housing or employment. There are many obstacles to receiving support for mental health and addictions and when a person is living in poverty, there is less access to treatment, including ways to safely detox. In Ladysmith, a medically supervised detox facility is not available and with only eight beds in Nanaimo this leads to long waitlists. Nearby treatment and rehabilitation centres can have a two month waitlist and is cost prohibitive for those living in poverty.

RECOMMENDED ACTIONS

	Who should participate?			
Recommended Actions	**Federal**	**Provincial**	**ToL/SFN/ SD68/ FNHA***	**Individuals/ Organizations***
Expand Mental Health and Addictions Services				
Improve awareness about the range of existing mental health services, and supports available locally		✓	**SD68 FNHA**	**LRCA; Community Organizations**
Extend mental health services from larger centres to make them available in Ladysmith on a regular basis through satellite offices, including a psychiatric nurse, outreach support for homeless individuals, and harm reduction services.		✓	**FNHA**	**CMHA; LRCA**
Expand and integrate and make more people aware of mental health support services/ wrap-around support available to Ladysmith/ Stzuminus residents including peer counselling; Alcoholics anonymous, Al Anon, Narcotics anonymous groups; and other support groups - men's groups, women's groups, parenting		✓	**SFN SD68 FNHA**	**CMHA; Discovery; LRCA; Community organizations**
Improve transportation options for accessing services in larger centres from both Ladysmith and Stz'uminus		✓	**SFN**	**CMHA; LRCA**

*Town of Ladysmith (ToL), Stz'uminus First Nation (SFN), Nanaimo/Ladysmith School District 68 (SD68), First Nations Health Authority (FNHA), Ladysmith Resources Community Association (LRCA), Canadian Mental Health Association (CMHA)

ACCESS TO HEALTH CARE SERVICES

It is challenging to provide specialized health care services in every community. The Ladysmith Community Health Centre and Stz'uminus Health Centre provide daily health care services and programs including treatment of urgent, non-life threatening illnesses or injuries. More severe or specialized services, including any overnight care, requires a trip to a hospital in Nanaimo, Duncan, Victoria or to the mainland in Vancouver, depending on the severity and/or treatment required. This can be challenging if an individual or family is relying on public transportation.

The redevelopment of the Cowichan District Hospital, scheduled to open in 2026, provides an opportunity for partner and community engagement into the design and services it will include. Island Health is also in a process to expand the Primary Care Network and enhance community supports for people within their own communities.

WHY THIS IS IMPORTANT

People living in poverty face more barriers to accessing health care which often leads to increased emergency visits and undiagnosed, untreated or prolonged medical issues.

CHALLENGES WE HEARD

We heard from the community that health care services are limited and specialized medical treatments are not available in Ladysmith. There are not enough local doctors to meet the demand for new patients. A limited income and lack of extended benefits makes it difficult to afford specialized or alternative health options. People often go without medication or don't take it correctly in order to make it last longer. If a person is relying on public transportation it is difficult to get to specialist appointments in other towns.

ACCESS TO HEALTH CARE SERVICES

RECOMMENDED ACTIONS

	Who should participate?			
Recommended Actions	**Federal**	**Provincial**	**ToL/SFN/ SD68/ CVRD/ FNHA***	**Individuals/ Organizations***
Improve Connectivity to Health Care Services				
Develop a needs assessment on the gaps in localized medical services (e.g., emergency dental health and eye care)		✓	**ToL SFN Island Health FNHA**	**Community Organizations; Community Members**
Develop a comprehensive transportation plan on how to connect residents to regionally available medical services in a timely manner		✓	**ToL SFN CVRD**	**Community Organizations; Community Members**
Advocate for subsidized medical services for low income individuals and families that are not covered under the Medical Services Plan (e.g. dental care, nutritionist/ dietician, eye care, physiotherapy, etc.)		✓	**ToL SFN Island Health FNHA**	**Community Organizations; Community Members**

*Town of Ladysmith (ToL), Stz'uminus First Nation (SFN), Nanaimo/Ladysmith School District 68 (SD68), Cowichan Valley Regional District (CVRD), First Nations Health Authority (FNHA)

PHYSICAL HEALTH & WELLNESS

Many aspects of living in poverty have negative effects on physical health and wellness for individuals and families. Limited income means that there are no extra funds for the things that foster good health and quality of life. People with higher incomes experience less sickness, longer life expectancies and improved health[19]. Keeping up with the demands that living in poverty presents, means there is little time and energy to proactively take care of yourself and your family's physical health, including finding time to get outside and be active.

WHY THIS IS IMPORTANT

Poverty directly affects the overall health of people at all ages.

CHALLENGES WE HEARD

We heard from the community that living in poverty leads to increased physical illness and poor health overall as well as chronic and long-term health challenges. A lack of time, energy and resources makes it hard to take care of one's physical health.

[19] http://www.ourcchn.ca/files/Cowichan%20Communities%20Health%20Profile_FINAL%20Feb%207.pdf

PHYSICAL HEALTH & WELLNESS

RECOMMENDED ACTIONS

	Who should participate?			
Recommended Actions	**Federal**	**Provincial**	**ToL/SFN/ SD68/ CVRD***	**Individuals/ Organizations***
Increase Access to Health and Wellness Pracitioners and Recreational Opportunities				
Create funds/offer reduced-cost services for alternative health practitioners and exercise and personal wellness classes to address chronic pain and other physical challenges (e.g., acupuncture, registered massage therapy, chiropractic care practitioners; yoga, fitness, pilates, dance, recreational sports, etc.				**Alternative Health Practitioners; Fitness, yoga instructors**
Enhance and expand the Town of Ladysmith's Leisure Access Program to make it more accessible for low income community members e.g., pay it forward pass or lottery or Community Care Fund donations. See Adequate Income Supports and Making Ends Meet			**ToL SFN SD68**	**Individuals; Businesses**

*Town of Ladysmith (ToL), Stz'uminus First Nation (SFN), Nanaimo/Ladysmith School District 68 (SD68), Cowichan Valley Regional District (CVRD)

ADEQUATE INCOME SUPPORTS AND THE MEANS TO MAKE ENDS MEET

People living in poverty make decisions every day about how to make ends meet. The reality of surviving from pay cheque to pay cheque adds mental discomfort and stress on overall well-being. There are many unique stories about how a person may find themselves needing to access income support such as Income Assistance or Disability Benefits, but one thing they have in common is that it keeps them living at or below the poverty line. There are seniors who face poverty upon retirement and realize that relying on a federal pension alone isn't enough to cover expenses.

Some Provincial legislative actions, such as no longer paying for Medical Service Plan premiums and the BC Child Opportunity Benefit and Federal legislative actions such as the Canada Child Benefit may help reduce monthly costs for lower income families.

The COVID-19 pandemic demonstrated how vulnerable people are when confronted by the loss of employment while also faced with debt. The Federal and Provincial income supports provided relief during an unprecedented time. It was an opportunity to help those who were making less than the benefit before the pandemic while helping others who lost employment maintain their basic necessities although they may not have been able to manage all expenses and/or debt.

WHY THIS IS IMPORTANT

Adequate income supports to meet the minimum requirements for the basic needs of life, including food, warmth, clothing and shelter are human rights.

CHALLENGES WE HEARD

Residents who are on social assistance, disability assistance, government pensions or making minimum wage are living near or below the poverty line. Income supports and minimum wage are not enough to make ends meet or keep up with the rising costs of living. People are forced each month to make choices between basic needs and/or to go without.

ADEQUATE INCOME SUPPORTS AND THE MEANS TO MAKE ENDS MEET

The Make the Month poverty simulation is an interactive digital poverty tool that enables Canadians to experience living in poverty and the decisions that are made to get through the month. Decisions between purchasing new shoes, home maintenance, vehicle repairs or unexpected medical expenses add to the stress of trying to keep up or get ahead financially.

See Appendix C to learn about innovative community ideas on Saltspring Island and other areas.

RECOMMENDED ACTIONS

	Who should participate?			
Recommended Actions	**Federal**	**Provincial**	**ToL/SFN/ SD68/ CRVD***	**Individuals/ Organizations/ Businesses***
Advocate for Adequate Income Supports to Meet Basic Needs				
Advocate for Universal Guaranteed Basic Income and/or adequate income support that doesn't keep people below the poverty line.	✓	✓	**All**	**Poverty Working Group; Community organizations; Individuals**
Improve awareness about range of services available through local community organizations	✓	✓	**ToL SFN VIHA**	**HelpSeeker; Poverty Working Group; Local and Regional Community Organizations**
Expand and undertake more outreach to support those living in poverty to navigate and access the services, support and resources that they need, such as accessing available income supports and benefits. See other support activities below under Mental Discomfort and Stress				**LRCA; Local Community organizations**

*Town of Ladysmith (ToL), Stz'uminus First Nation (SFN), Nanaimo/Ladysmith School District 68 (SD68), Cowichan Valley Regional District (CVRD), Ladysmith Resources Community Association (LRCA)

ADEQUATE INCOME SUPPORTS AND THE MEANS TO MAKE ENDS MEET

RECOMMENDED ACTIONS

	Who should participate?			
Recommended Actions	**Federal**	**Provincial**	**ToL/SFN/ SD68/ CRVD***	**Individuals/ Organizations/ Businesses***
Set up Initiatives to Share Community Assets and Resources				
Offer opportunities for community members, businesses and others to contribute to the Reaching Home fund and/or a "Community Cares Fund" to: • Subsidize Emergency Rental/Utilities Assistance for those in need • Support families/individuals in emergency crisis (for those without insurance but experiencing an injury, illness, family loss) • Sponsor sports, arts, and recreational activities and programs for children and youth • Donate gas cards and transit tickets/passes				**All; LRCA**
Set up a Community Task Exchange where individuals can match their volunteer skills to needs and requests. For example, plumbing, car maintenance, home repairs, garden support, construction projects, hair cuts, etc.				**All; LRCA**
Set up a Community Request/Donation system where items are donated in response to requests by those who need them. Examples include: • Clothing, household goods, crafting and arts materials, feminine hygiene products, hygiene kits • Clothing swaps/exchange; clothes for interviews • Electronics and computer services				**All; LRCA**

*Town of Ladysmith (ToL), Stz'uminus First Nation (SFN), Nanaimo/Ladysmith School District 68 (SD68), Cowichan Valley Regional District (CVRD), Ladysmith Resources Community Association (LRCA)

MENTAL DISCOMFORT AND STRESS

When asked what contributes to a healthy and happy life, many community members responded with: spending quality time with family and friends, playing sports, being active and participating in recreational activities, being outside and accessing nature, having a strong social network, feeling supported by others, and feeling safe and connected to community.

We heard from people with lived experiences of poverty that every day can feel overwhelming when you are constantly tracking how to make ends meet with limited funds and energy. While support services may be available for those in need, it takes time to go to the food bank during the hours that it is open, get your kids to and from school on time, meet with a social worker and use the computer at the library to fill out forms. One person described living in substandard housing and worrying about whether mould was affecting their childs' health. It is the everyday grind that disempowers people and makes them feel like things will never change.

When the recommended actions under each of the poverty themes are collectively acted upon, it will begin to alleviate some of the mental discomfort and stress, allowing people in poverty the space to feel more optimistic,

> "Poverty wreaks havoc on your mental health, especially with children to take care of and somehow you feel like it's all your fault."
>
> Anonymous Poverty Reduction Plan Participant

MENTAL DISCOMFORT AND STRESS

safe, secure and connected. For example, securing a safe and affordable place to live, trusting there are neighbours to turn to, and knowing that others are willing and able to help out when needed will greatly reduce some of the burden, anxiety and worry.

Everyone wants to feel that they belong and to contribute to the greater good - these are basic human needs. Knowing there are people in the community who are willing to provide support when called upon provides comfort knowing you aren't stuck without a solution. Knowing that your skills are needed in turn, gives you a sense of dignity and self worth. In the process, connections are made, relationships established across generations, and the community is stronger.

WHY THIS IS IMPORTANT

Everyone should feel supported in living a happy and healthy life. This means feeling that they belong, are connected to community, have the opportunity to learn from others, have supportive relationships, and have hope for the future.

CHALLENGES WE HEARD

Living in poverty results in poor mental and emotional well-being leading to a variety of mental health challenges, including stress, anxiety, worry, low self-esteem and social isolation. Those living in poverty feel defeated and excluded from the community, with feelings of shame, guilt, hopelessness, and desperation.

MENTAL DISCOMFORT AND STRESS

RECOMMENDED ACTIONS

	Who should participate?			
Recommended Actions	**Federal**	**Provincial**	**ToL/SFN/ SD68/ CRVD***	**Individuals/ Organizations**
Create Community Connections Where Everyone Feels Welcome				
Organize free regularly scheduled community social gatherings for a range of ages (i.e. drop-in crafting, reading groups, classes, workshops, community meals, etc.)			**ToL SFN SD68**	**Individuals; Community Organizations; Service clubs; Businesses**
Expand and undertake more outreach to support those living in poverty to navigate and access the services, support and resources that they need, such as advocacy, youth groups, seniors programming, mental health support lines, and restorative justice support. See also Adequate Income Supports pg 34.			**SD68 SFN**	**Community Organizations**
Coordinate a collaborative communications network for sharing community news, events, resources and services that are available in print and online.			**ToL SFN SD68**	**Community Organizations; Service clubs; Businesses; Individuals**
Set-up skill-sharing opportunities (e.g., gardening, vehicle/bicycle repair, making clothing, Halloween costumes, cooking, baking, etc.)				**Community Organizations; Service clubs; Businesses; Individuals**

*Town of Ladysmith (ToL), Stz'uminus First Nation (SFN), Nanaimo/Ladysmith School District 68 (SD68)

COMMUNITY LEVEL IMPACTS

When asked what contributes to a healthy and happy life, people in Ladysmith and Stz'uminus unanimously shared that spending time with family and friends, feeling connected to community and having access to basic amenities were most important. For a community to be resilient and healthy, everyone must feel equal and able to participate fully.

Many people expressed concerns about the impact that poverty and increasing disparity in their community is having, including creating division and separation and an erosion of trust between neighbours. Others expressed concerns about NIMBYism (a "not in my backyard" attitude) and a lack of compassion that often stems from fear and lack of understanding. Still others are concerned about increasing homelessness and strains on community policing or service organizations. Many expressed concerns about the financial costs and pressure on all levels of government to address these complex societal challenges.

Overall, people expressed a commitment to find ways as a community to support each other, listen to the voices of those with lived experience that aren't always heard and work together to achieve a happier and healthier community.

A PATH FORWARD TO IMPLEMENTATION

The CommUNITY Together to End Poverty Hw-nuts'-ulwum (As One) Plan represents a snapshot captured during an unprecedented time - during a global pandemic that is still unfolding in real time. The impacts of the COVID-19 pandemic over the medium and long-term will not be clearly understood for some time. As with all plans, this document should be considered a living document.

The following recommendations should be considered as next steps to move the poverty theme actions forward:

Apply for funding through UBCM Stream 2 grant of up to $50,000 to implement eligible priority actions for the next 3 years. This will involve identifying additional grant opportunities, investments, partnerships, and evaluation indicators and measures so that we know when we have achieved our outcomes.

Establish a formal community-based Poverty Reduction Task Group whose membership includes: Town of Ladysmith and Stz'uminus First Nation political leaders and staff, individuals with lived experience, representatives from community organizations, service clubs, the business community, youth and seniors. The Working Group will have a mandate and terms of reference to:

- guide the implementation of the Poverty Reduction Plan
- raise awareness about the issues of poverty
- foster innovative partnerships to implement actions
- champion involvement in implementing community actions, and
- advocate for provincial and federal policy changes that address systemic causes.

The Poverty Reduction Task Group commits to a Collective Impact framework to achieve community change to end poverty. The Tamarack Institute defines a collective impact framework as integrating the following five core conditions:

- develop a common agenda;
- use shared measurement to understand progress;
- build on mutually reinforcing activities;
- engage in continuous communications; and
- provide a backbone to move the work forward[20].

[20] https://www.tamarackcommunity.ca/collectiveimpact

Build on the strong foundation set out in the Naut'sa mawt (Working Together) Community Accord and in accordance with their commitment to review the Truth and Reconciliation Commission (TRC) recommendations, The Town of Ladysmith and Stz'uminus First Nation broaden and deepen commitments to end poverty by building a shared understanding of how Stz'uminus First Nation community leaders and Elders would define poverty and go about ending it. This would include prioritizing the Poverty Theme recommended actions in accordance with the most pressing needs for Stz'uminus residents including actions to improve public transportation, develop partnerships for employment opportunities, and address systemic racism and discrimination.

The Poverty Reduction Task Group commits to identifying the ways that success will be measured and achieved.

- Progress toward ending poverty will be measured and tracked through outcomes and indicators that are linked to local actions and activities.
- Identify cost effective ways that need can be quantified more intentionally so as to have rationale/justification of services needed moving forward.
- Participate in Island Health's Cowichan Valley pilot study to develop community health indicators

CLOSING REMARKS

This project helped the Town of Ladysmith to deepen our understanding about the unique challenges that residents living in poverty in Ladysmith and Stz'uminus are facing. It also demonstrated that community members want to step up to help out.

Because the impacts of poverty are very interrelated, there is no single effort that can be taken to reduce poverty. What has been demonstrated time and again, is when the community comes together in a caring, compassionate and collaborative way to listen and learn with curiosity and an open mind, coming up with solutions is the easy part.

The COVID-19 pandemic and extreme weather episodes that are the result of climate change, have exacerbated challenges for those living in poverty and highlighted the short falls and vulnerabilities in our existing systems, especially those identified through this project.

When we embody the CommUNITY vision that we all have equal value, that everyone has something to contribute and we all deserve a happy and healthy life, there are no limits to what we can achieve.

The potential is there. All we need now, is the will to take action and the drive to move forward together as one, hw-nuts'-ulwum.

APPENDICES

A: Project History, Goals and Timeline

In 2019, the Province of British Columbia (BC) released its poverty reduction strategy: TogetherBC: British Columbia's Poverty Reduction Strategy. The strategy sets targets to reduce overall poverty in BC by at least 25%, and the child poverty rate by at least 50%, by 2024.

The Province has provided $5 million over three years through the Poverty Reduction Planning & Action program to support local governments in helping to reduce poverty administered through the Union of BC Municipalities. As a result of this funding, the Town of Ladysmith received a grant to develop a plan of poverty reduction actions specific to the local needs of Ladysmith and Stz'uminus residents.

This work was done in partnership with Social Planning Cowichan and a collaborative Working Group lead by members from several local organizations including the Town of Ladysmith, Stz'uminus First Nation Health Centre, Nutsumaat Lelum Child Care Centre, Ladysmith Resources Centre Association, Stz'uminus Primary School, Boys & Girls Club of Central Vancouver Island, First Nations Health Authority, Island Health, School District 68, and OUR Cowichan Health Network.

The Working Group was established to guide the process of developing this strategy and to tap into the strength of existing community relationships during the public engagement.

The Working Group met on zoom every few weeks from October 2020 to July 2021, to check-in and identify opportunities for engagement and provide feedback and input on the development of the strategy.

QUESTIONNAIRE QUESTIONS

1. How does living in poverty affect you or the people in your community?
2. How does poverty affect our community as a whole?
3. What ideas do you have or actions can we take to make life easier for someone living in poverty?
4. What helps you to live a healthy and happy life?
5. How will we know when we have ended poverty in our community?

Presentations on the project were made to Stz'uminus Chief and Council, Ladysmith Rotary Club, Ladysmith Chamber of Commerce, a Ladysmith Secondary class, Peers & Community Champions and the Ladysmith Interagency Committee.

A **Summary of Community Engagement** that included 10 Poverty Themes was put together to check back with the community to ensure that what was shared was accurately captured and to invite more input on ideas for actions on the identified themes.

Community Engagement Tools and Audiences Reached

DATE	COMMUNITY ENGAGEMENT TOOLS	AUDIENCES REACHED
SEPTEMBER 2020 – JULY 2021	• Working Group Engagement + Community Champions • Interagency Meetings	Members of local government, agencies and organizations
SEPTEMBER 2020 – JULY 2021 MONTHLY	• Interagency Meetings	Updates on project progress shared monthly
DECEMBER 1, 2020 – JULY 30, 2021	• Communications and • Social Media campaign	News articles and promotion through **website**, Facebook, Instagram and Twitter
DECEMBER 1, 2020 – MAY 28, 2021	• Questionnaires completed online through Survey Methods and PlaceSpeak • Activity Reports to Town of Ladysmith Council	Cross section of the community, including many with lived experience of poverty **114 completed questionnaires** **25 connections**, **10 comments**, **521 views on PlaceSpeak**
DECEMBER 8, 2020	• Presentation to Stz'uminus First Nation Chief and Council	
FEBRUARY – MAY 2021	• Peer Interviews	**19 interviews** conducted by **4 peers** with lived experience Many of these were with those with lived experience
MARCH 29 – APRIL 9, 2021	• Poverty Challenges	**40 people** including members from **one class at Ladysmith Secondary School** completed a poverty challenge
APRIL 9, 2021	• Virtual Poverty Challenge Debrief	**12 participants** **7 reflective journals** completed online
APRIL 13, 2021	• Ladysmith Secondary School Classroom Presentation	**20+ students** present virtually
APRIL 29, 2021	• Rotary Presentation	**22 Rotarians**
MAY 2021	• Project Summary and Survey	Collection of feedback from community members including service agencies

The following is a summary of research conducted:

- Review and poverty analysis of existing Town of Ladysmith planning documents
- Review of Poverty Reduction Plans and strategies from other cities and rural communities
- Research poverty resources for social media engagement
- Identify and review local and regional data and information and literature (see Appendix B for a list of documents)
- Participate in Tamarack Institute Community of Practice webinars
- Attend a coaching call with Jill Zacharias, Tamarack Institute
- Attend the Tamarack Institute 2021 Poverty Summit along with other Working Group members
- Conduct individual interviews with Working Group members for a service gap analysis
- Research successful and innovative initiatives and ideas from other communities (see Appendix C)
- Calculate the Living Wage estimate for Ladysmith

B: Community Engagement Summary

COMMUNITY TOGETHER TO END POVERTY
HW-NUTS'-ULWUM

LADYSMITH/STZ'UMINUS

SUMMARY OF PUBLIC ENGAGEMENT

About The Project

The CommUNITY Together to End Poverty Hw-nuts'-ulwum (As One) project aims to create a solutions-focused approach to reducing poverty in Ladysmith and Stz'uminus by developing a plan that is based on engaging local residents about the issues.

Through various community engagement tools, we asked the community - what does poverty look like for Ladysmith and Stz'uminus residents and how does it impact us as individuals, families, and neighbours?

About This Summary

This document summarizes the priorities shared by community members through questionnaires, interviews, reflections and group discussion. We invite you to review this summary and add further comments to help shape a comprehensive community plan that identifies next steps to end poverty here at home.

YOU CAN SHARE YOUR FEEDBACK WITH THE SURVEY FOUND AT:
www.communitytogethertoendpoverty.ca/summary

About Poverty: What We Know

Poverty is complex. Living in poverty is much more than simply not having enough money to make ends meet. It affects all aspects of life – a person's health, where a person lives, what they eat, what they do, how they cope and how they provide for themselves and their families. Poverty causes mental stress and discomfort that impacts a person's emotional, physical and spiritual well-being. Among many things, those living in poverty can feel hopeless, lack purpose, feel that they have lost their dignity and/or have low self-esteem. It also leads to poor physical health and chronic pain.

People living in poverty are resilient and creative. While many people equate poverty with homelessness, in reality, it exists on a spectrum that is mostly unseen or hidden. People living in poverty may feel too ashamed to ask for help or be fearful that they will be excluded from society, have their children taken away, or will be judged unfairly for needing help.

Many feel the stigma of living in poverty every day because those who aren't struggling, may not know or believe that poverty exists. The reality is that in Cowichan Valley North (including Ladysmith and Stz'uminus), 2,375 adults (11.3% or our population), 2,438 seniors (11.6%) and 3,132 children and youth (<18) (14.9%) are low income and struggle to make ends meet[1].

LOW INCOME POPULATION IN COWICHAN VALLEY NORTH

ADULTS	11.3%
SENIORS	11.6%
YOUTH	14.9%

[1]Based on 2016 census, and a total population of 21,018 from www.islandhealth.ca/sites/default/files/cowichan-valley-north-local-health-area-profile.pdf

Background

In 2019, the Province of British Columbia (BC) released its poverty reduction strategy: **TogetherBC: British Columbia's Poverty Reduction Strategy**. The strategy sets targets to reduce overall poverty in BC by at least 25%, and the child poverty rate by at least 50%, by 2024.

The Province has provided $5 million over three years through the Poverty Reduction Planning & Action program to support local governments in helping to reduce poverty. As a result of this funding, the Town of Ladysmith received a grant to develop a plan, in partnership with Social Planning Cowichan and a collaborative Working Group. The plan aims to set priority actions on poverty reduction specific to the local needs of Ladysmith and Stz'uminus residents.

Community Engagement

Engaging the public in a meaningful way on such a complex topic has been challenging as we all struggle to adapt to the constantly changing reality of living through the COVID-19 pandemic. We haven't been able to meet in-person to have conversations about the concerns and ideas and therefore have adapted our engagement to reflect the virtual environment.

A collaborative multi-sectoral Working Group was established to guide the process and our strategy was to tap into the strength of existing relationships. The Working Group met on zoom every few weeks from October 2020 to present, to check-in and identify opportunities for engagement. The table below describes the engagement tools and audiences reached.

Community Engagement Tools and Audiences Reached

DATE	COMMUNITY ENGAGEMENT TOOLS	AUDIENCES REACHED
SEPTEMBER 2020 – JULY 2021	• Working Group Engagement + Community Champions • Interagency Meetings	Members of local government, agencies and organizations
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What We Heard: 10 Priority Themes

These themes are in no particular order

- **Public Transportation**
- **Food Security**
- **Addressing Stigma, Racism and Discrimination**
- **Access to Education and Employment Options**
- **Adequate Income Supports and the Means to Make Ends Meet**
- **Affordable Housing and Adequate Living Conditions**
- **Access to Mental Health and Addiction Services**
- **Mental Discomfort and Stress**
- **Access to Health Care Services**
- **Physical Health & Wellness**

PUBLIC TRANSPORTATION

CHALLENGES WE HEARD

We heard from the community that the lack of, or unreliability of public transportation in the Ladysmith and Stz'uminus area is a critical concern for those living in poverty. If you don't have a reliable vehicle, poor public transportation affects every aspect of life, including where you can work, getting groceries, accessing medical appointments or attending post-secondary institutions. For those with physical challenges, the geography of the Town of Ladysmith makes getting around difficult without a vehicle or frequently available public transportation.

WHY THIS IS IMPORTANT

The geography of Ladysmith, the distance between the communities of Ladysmith and Stz'uminus, and the absence of regular public transportation present a significant local challenge for accessing services and employment.

FOOD SECURITY

CHALLENGES WE HEARD

We heard from the community that many families in the Ladysmith and Stz'uminus area are not able to afford or access healthy food leading to hunger and in some cases malnutrition. Options may be limited for those who have allergies or dietary preferences including those who eat vegetarian. For those living in Stz'uminus, the food bank may be inaccessible due to transportation limitations.

WHY THIS IS IMPORTANT

Access to sufficient, safe, and nutritious food that meets their preferences and dietary needs is critical for an active and healthy life.

ADDRESSING STIGMA, RACISM AND DISCRIMINATION

CHALLENGES WE HEARD

We heard that stigma and discrimination make life challenging for those living in poverty. We must educate and build awareness to address stigma and counter public misconceptions about poverty.

For First Nations people in our communities, systemic racism affects all aspects of daily life. We must educate about the impacts of our colonial history and work together to change ongoing colonial systems that continue to negatively affect First Nations community members.

WHY THIS IS IMPORTANT

Addressing stigma, discrimination and racism is critical to reducing poverty in all forms and to create a more inclusive and welcoming community.

ACCESS TO EDUCATION AND EMPLOYMENT OPTIONS

CHALLENGES WE HEARD

We heard that for those living in poverty, learning can be a struggle which leads to additional stress, lack of confidence, lower self-esteem and absenteeism. Students are less likely to graduate from high school and post-secondary education options are limited locally.

With the compounding complexity of living in poverty, fewer local employment opportunities available and challenges with transportation make it more difficult for some to lift themselves out of poverty.

WHY THIS IS IMPORTANT

Access to affordable education and training leads to personal growth, independence and gainful employment opportunities. Opportunities for meaningful employment and benefits allows individuals to meet their basic needs and focus on personal health and wellness.

ADEQUATE INCOME SUPPORTS AND THE MEANS TO MAKE ENDS MEET

CHALLENGES WE HEARD

We heard from the community that residents who are on social assistance, disability assistance, government pensions or making a minimum wage are living near or below the poverty line. Income supports and minimum wage are not enough to make ends meet or keep up with the rising costs of living. People are forced each month to make choices between basic needs and/or to go without.

WHY THIS IS IMPORTANT

Adequate income supports to meet the minimum requirements for the basic needs of life, including food, warmth, clothing and shelter are human rights.

AFFORDABLE HOUSING AND ADEQUATE LIVING CONDITIONS

CHALLENGES WE HEARD

We heard from the community that finding safe, affordable housing is a serious concern, especially for those living on income supports. This means that many people live in less than ideal housing situations and under unsafe or unhealthy living conditions.

WHY THIS IS IMPORTANT

Access to affordable housing (30% of income[2]) and safe and healthy living conditions is critical to health and wellbeing.

[2]www150.statcan.gc.ca/n1/pub/75f0002m/75f0002m2020003-eng.htm)

ACCESS TO MENTAL HEALTH AND ADDICTIONS SERVICES

CHALLENGES WE HEARD

We heard from the community that there is a lack of access to mental health services and support to meet the increasing demand. There are limited services or supports available for substance use, addictions or alcoholism. Without detox a person can't get into rehab. Untreated mental health and addictions compounds other social issues. Often people don't use services due to stigma.

WHY THIS IS IMPORTANT

Poverty through all stages of life can cause poor mental health through social stresses, stigma and trauma. Untreated mental health challenges can lead to employment, housing, and health challenges, and strained social relationships.

MENTAL DISCOMFORT AND STRESS

CHALLENGES WE HEARD

We heard from the community that living in poverty results in poor mental and emotional well-being leading to a variety of mental health challenges, including stress, anxiety, worry, low self-esteem and social isolation. Those living in poverty feel defeated and excluded from community, with feelings of shame, guilt, hopelessness, and desperation.

WHY THIS IS IMPORTANT

The ability to live and thrive free of judgement or discrimination will ease mental discomfort and stress allowing people to be able to live a life with hope for the future.

ACCESS TO HEALTH CARE SERVICES

CHALLENGES WE HEARD

We heard from the community that health care services are limited and specialized medical treatments are not available in Ladysmith. There are not enough local doctors to meet the demand for new patients. A limited income and lack of extended benefits makes it difficult to afford specialized or alternative health options. People often go without medication or don't take it correctly in order to make it last longer. If a person is relying on public transportation it is difficult to get to specialist appointments in other towns.

WHY THIS IS IMPORTANT

People living in poverty face more barriers to accessing health care often leading to increased emergency visits and undiagnosed, untreated or prolonged medical issues.

PHYSICAL HEALTH & WELLNESS

CHALLENGES WE HEARD

We heard from the community that living in poverty leads to increased physical illness and poor health overall as well as chronic and long-term health challenges. A lack of time, energy and resources makes it hard to take care of one's physical health.

WHY THIS IS IMPORTANT

Poverty directly affects the overall health of people at all ages.

Community Level Impacts

When asked what contributes to a healthy and happy life, people in Ladysmith and Stz'uminus unanimously shared that spending time with family and friends, feeling connected to community and having access to basic amenities were most important. We heard that for a community to be resilient and healthy, everyone must feel equal and able to participate fully.

Many people expressed concerns about the impact that poverty and increasing disparity in their community is having, including creating division and separation and an erosion of trust between neighbours. Others expressed concerns about NIMBYism (a "not in my backyard" attitude) and a lack of compassion, that often stems from fear and lack of understanding. Still others are concerned about increasing homelessness and strains on community policing or service organizations. Many expressed concerns for the financial pressure on all levels of government to address these complex societal challenges.

Overall, people expressed a commitment to find ways as a community to support each other, listen to the voices of those with lived experience that aren't always heard and work together to achieve a happier and healthier community.

COMPOUNDING IMPACTS OF COVID-19

The COVID-19 pandemic has exacerbated challenges for those living in poverty and highlighted the short falls in our existing systems especially those identified through this project. The Public Health Orders have affected both structured and informal ways that people manage their day to day lives, in particular access to the basic supports that often comes from family, friends and/or community. Some examples include ways of getting around (e.g., ride shares), accessing mental health or addictions services, and the added stresses caused by social isolation.

Next Steps – Timelines

COMMUNITY ENGAGEMENT
OCTOBER 2020 - JUNE 2021

RESULTS SUMMARY
MAY 2021

FINALIZE PLAN
JULY 2021
The plan, complete with actions and recommendations will be completed by the end of July

DID WE GET IT RIGHT? WHAT'S MISSING? SHARE YOUR FEEDBACK HERE:

www.communitytogethertoendpoverty.ca/summary

FIND OUT MORE

communitytogethertoendpoverty.ca

250-701-7053
communitytogetherLS@gmail.com
@togetherpoverty
communitytogethertoendpoverty

In Ladysmith and Stz'uminus working as one
CommUNITY Together to End Poverty
Hw-nuts'-ulwum *(As One)*

COMMUNITY TOGETHER TO END POVERTY HW-NUTS'-ULWUM

LADYSMITH

C: Innovative Ideas from Other Communities

Affordable Housing:

Tiny Homes, Bluegrass Meadows:

Tiny houses are defined as non-motorized, moveable, and ground-oriented dwellings under 500 square feet.

Bluegrass Meadows Micro Village, located 15 minutes north of Terrace, B.C. is Canada's first micro and tiny house community. Monthly rent and utilities range from $975-$1350 depending on the size of the tiny home. Average rental costs in Terrace range from $774 for a 1 bedroom to $1935.71 for a 3 bedroom. Current listings range from $1250/month for 1 bedroom rentals to $2100/month for 3 bedroom homes.

Cost:

Monthly rent is estimated at $500-$800 for under 300 square feet and $1000-$1200 for 400-500 square feet homes. Purchasing a tiny home is more affordable than the average cost of a single family home. For instance, in Grand Forks the average cost of a single family home is $429,420, whereas the average tiny home costs between $40,000 and $80,000.

Funding:

Tiny house owners are responsible for all costs.

Community Partnerships:

Tiny houses on wheels remain unregulated under the B.C. Building Code which means that local governments do not have any mechanism to permit tiny houses as legal permanent residences. There is potential for creative regulatory solutions as suggested by alterations made to the City of Grand Forks in the West Kootenays bylaws and official community plan in 2018. Following flooding in the region, zoning bylaws were amended to permit tiny houses on wheels in all residential areas with a Temporary Use Permit.

Beneficiaries:

Singles, small families, and retirees looking for a low maintenance affordable housing solution.

Columbia Park, Trail B.C.:

Columbia Park can house nine households and has one, two, and three-bedroom units. Applicants, who must be residents of the Lower Columbia Region for at least one year, apply to the waitlist through the BC Housing Registry.

Cost:

The project cost is upwards of $4 million and monthly rent is set by the Building BC: Community Housing Fund.

Funding:

The Lower Columbia Affordable Housing Society received $900,000 from the Building BC: Community Housing Fund as well as an additional $3 million to finance construction and annual operating costs. The Columbia Basin Trust provided a $155,300 grant for the building.

Community Partnerships:

Community organizations including the City of Trail, Kootenay Savings Community Foundation, and Teck Resources Ltd.

Beneficiaries:
Low income families, seniors, and people with disabilities who are able to live independently.

Hall Street Place, Nelson B.C.:
Hall Street Place is operated by the Nelson CARES Society and offers 43 rental homes to low to moderate income residents of Nelson.
Cost:
The project cost is upwards of $15 million and monthly rent is set by the Building BC: Community Housing Fund.
Funding:
The Building BC: Community Housing Fund contributed $4.3 million to the complex as well as an additional $11.6 million in repayable financing. The Columbia Basin Trust contributed $542,400 for construction costs.
Community Partnerships:
The project is run by the Nelson CARES society which has programming on affordable housing, emergency shelters, and residential services for community living.
Beneficiaries:
Families, seniors, and people with disabilities with low to moderate incomes.

* **Note on Hall Street Place and Columbia Park Projects**
Both projects were funded through the Building BC: Community Housing Fund which supports mixed-income buildings where 50% of the units are for households with annual incomes up to $64,000, 30% of the units for residents with annual incomes up to $74,000, and 20% of the units are for households with very low incomes. Rent in buildings supported by the Community Housing Fund are determined on household income. Monthly rent is broken down as follows:

- $375-$660/month for residents with very low incomes (i.e., seniors on fixed incomes and people receiving income assistance)
- $650-$950/month for residents with low to moderate incomes
- $975-$1625/month at market rental price for residents with moderate or average incomes
- $375-$445/month for community living units for people with disabilities

Secondary Suites:
Prior to December 2019, secondary suites could only be constructed in single detached houses and could not exceed 90m2 . A revision to the BC Building Code in 2019 gave no limit to the floor space or percentage distribution of a secondary suite compared to the habitable space of the building. Ken Dantzer, a developer in Kingston, Ontario is constructing new homes that include secondary suites. Dantzer suggests that secondary suites are a solution for communities with low vacancy rates as “the whole community also benefits in that low-density areas have more people using services.”
Costs:
Costs for constructing and authorizing secondary suites depend on Zoning Bylaws. For instance, Building Permits that allow the City Building Inspector to authorize secondary suites in Nanaimo costs $500. Additional costs for homeowners are associated with prepared site and floor plans, permits, and construction. Rental prices are location specific but tend to be lower than apartment rental rates.

Design a Local Healthy Food System:

Community Gardens

Since initiating the Jubilee Community Garden at Centennial Park in 2004, the Cowichan Green Community has started a number of community gardens in the Cowichan Region. Plots are rented every season by community members and some are maintained by the local food bank and housing shelter.

Community Partnerships:

Cowichan Green Community, Local Food Banks, Local Housing Shelters

Beneficiaries:

Plots are rented every season by community members and some are maintained by the local food bank and housing shelter. The gardens provide land for those who do not have access and are a source of affordable and sustainable food for the community.

Pender Island Community Gathering Lunch Program:

The Pender Island Community Gathering provides lunch once a week at the Community Hall. Activities are organized to precede the lunch such as exercise classes, crafts workshops, and technology support.

Cost:

By donation for attendees.

Community Partnerships:

Local cooks, Pender Island Community Hall, Pender Island Health Care Society, and the Ptarmigan Music and Theatre Society.

Beneficiaries:

The program is not exclusively for seniors but about half of participants are 55 and older.

Food Services Program - Silver Harbour Seniors' Activity Centre:

The Food Services Program at Silver Harbour Seniors' Activity Centre in North Vancouver provides hot lunches 5 days a week. A bus service run by volunteer drivers runs 3 days a week while the lunch program pays 1 full-time chef and 1 part-time assistant chef.

Cost:

The program costs $200,000, or 25% of Silver Harbour's total budget. Lunch costs the organization $11/person and seniors pay $8 of this cost.

Funding:

Silver Harbour Seniors' Activity Centre, local food recovery organization.

Community Partnerships:

Silver Harbour partners with local mental health and disability services to support the program.

Beneficiaries:

Community members aged 55 and older.

Cowichan Seed Incubator Farm:

The Cowichan Green Community created the Cowichan Incubator Seed Farm (CISF) with the goal of increasing the community's food security. The aim of the project is to create a productive farm that can serve as a community seed bank as well as be a regional centre for seed education and training. Community participants are trained in planning, caring for, and harvesting diverse and regionally adapted seed crops to support local food production in a sustainable way.

Funding:

The project is supported by the Municipality of North Cowichan, the Cowichan Valley Regional District, the Bauta Family Initiative on Canadian Seed Security, and the Island Coastal Economic Trust among other key funders.

reFRESH Cowichan Marketplace:

The reFRESH Cowichan Marketplace sells imperfect but edible produce donated from local grocery stores for less than half the original price. The non-profit enterprise began as a food recovery project but has pivoted to becoming a storefront that uses its revenue to support the Cowichan Green Community's ongoing food recovery program. Food that isn't sold by reFRESH is given to local food banks and community programs. The initiative helps to provide the community with low cost health foods while minimizing greenhouse gas emissions by keeping good food out of the landfill.

Funding:

The store has received funding from the provincial government who contributed $124,000 to get the project up and running.

Miscellaneous:

GERTIE:

Gabriola's Environmentally Responsible Trans-Island Express (GERTIE) is a community bus service run by the Gabriola Community Bus Foundation. The project began in 2008 when a small group of community volunteers suggested that resident's Climate Action Dividend cheques of $100 issued by the BC Government could fund an environmentally responsible public bus service on the island. Eventually the fund totalled $7000 and the group conducted community surveys to gauge interest in the service. The GERTIE project has since become a registered charity under the Income Tax Act and is supported by grants, donations, and profits raised through community benefits.

Funding:

The proposal was supported by the community and by the regional government in Nanaimo which contributed $65,500 through the Community Works Fund.

Reduced Cost Dental Care:

While MSP covers dental and oral surgery performed in a hospital, basic dental costs are not covered without additional insurance. Some dental clinics offer care at a reduced cost for those without insurance. For instance, The Cool Aid Community Health Centre Dental Clinic in Victoria offers dental cleanings, extractions, and x-rays at a 20% discount for seniors and low income earners.

Wheels for Wellness:

The Wheels for Wellness Society provides transportation for residents of Vancouver Island to and from non-emergency medical appointments. The service transports 25,000 patients per year and thus operates 17 Toyota Sienna MiniVans Monday-Friday.

Cost:

Annual operating costs are $1,200,000, and funds primarily come from contracts with the Island Health Authority.

Funding:

The society also has a number of corporate sponsors including Toyota and Mid-Island Co-op, as well as relies on individual donations.

Salt Spring Island Laundromat:

Salt Spring Island had been without a laundromat for 5 years until The Salt Spring Island Laundromat opened on June 1st, 2021. The lack of a laundromat especially impacted low-income residents who either had to rely on friends, handwashing, or pay $80 to travel to the nearest laundromat on Vancouver Island. The facility was built with funds raised by the Wagon Wheel Housing Society and Island residents. All profits raised from the laundromat will go toward local affordable housing solutions.

D: Community Agencies, Services, Capacity and Wishlist

Agency	Services	Target Group	Capacity/Resources	Wishlist
Ladysmith Resources Centre Association	Core Functions are: Food Security (Food Bank and Food Recovery Programs, 49th Parallel Phoners, Christmas Cheer Hampers) Shelter - Housing Support Services assists people to find and keep housing, Homeless Shelter COVID 24/7, Basic Living Supports (phone, internet, shower) Community Wellness (Peer Counselling, Victim Services, , Restorative Justice, Income Tax Program Family and Youth Support Services Early Years Programming; Born Healthy, Dad's Drop-in, Adventures in Early Literacy, Mother Goose Seniors' Services, Senior's Medical Transportation, Hosts; Community Link, Legal advocacy Alcoholics Anonymous, Al-Anon groups run out of LRCA	Families, Singles, Children, Youth, Seniors, Home-less	• Don't provide psychiatric, non-peer counselling or addiction services • Transportation for non-senor clients to medical, addiction, or psychiatric services is a major gap that affects employment, • Dental, addiction, and psychiatric services are not accessible to people in poverty in Ladysmith • Affordable Housing is a huge issue with a hot real estate market affecting rental market (LRCA is currently building a 38 unit building that is already full) • COVID is affecting many services.	• Addictions counselling services that are associated with a medical facility in Ladysmith to provide detox support. • Medically supported Detox facility. • Rehab facilities that don't have a 2 month waiting list and prohibitive cost • Emergency Dental Services • Handi-dart services • Affordable housing to address critical needs for seniors, those with disabilities, and single parent families • Better public transportation - transportation is inadequate to get people to medical and other appointments in a timely manner. Transportation may restrict residents outside of downtown Ladysmith from accessing all LRCA services.
Boys and Girls Club of Central Vancouver Island	Early Childhood Programs - Well-be-ing and belonging; exploration and creativity; language and literacy; social responsibility and diversity. Before and After School Care - Hands on learning experiences in 8 Core Programming areas (Physical activity; Nutrition; Nature; Educational Support; Financial Literacy; Social and Life skills; Creative Arts; Leader-ship Development, cultural Diversity and entrepreneurship) All Day Care on non-instructional days Pro-D and Camp Days Summer Camp	Children 0-5 years Children 5-12 years	• Capacity is limited by Staffing challenges and licensed space requirements. Always have a waitlist	• Youth programming to support kids 11+ • More ongoing collabora-tion between agencies and with SD68

Agency	Services	Target Group	Capacity/Resources	Wishlist
Community Link Connexions (Ladysmith Service provider for clients through Community Living BC)	Service provider that supports adults with developmental disabilities toward community inclusion - access to transportation, employment services and activities	Adults 19 and older with developmental disabilities	• This service is only for adults, there is a gap for children and, only for people who have disabilities they are born with, not those who acquire disability throughout life. There is also a gap for children. No one will provide supportive services.	• Affordable housing with adequate supports for clients who are desiring independent living (most are living with family) • Transportation is an issue especially for seniors because of hill. • PWD is adequate for clients who are living at home but not for those who would like to live independently. • Culturally appropriate support for Indigenous people with disabilities. • There is a need in Ladysmith for youth hang-out spaces.
School District 68 - Ladysmith Primary School	Child, Youth and Family Support Worker for the primary school - serves as a liaison between the school and community resources (LRCA Food bank, Housing support navigator, Income tax, advocates); in-school support; targeted in-school programs - social emotional groups (grief and loss, emotional regulation, anxiety) and friendship group. Academic supports. On-site lunch program and healthy snacks available to augment lunches; Monthly fruit and veggies, milk	Children K - 7 and their families	• Transportation a big issue for families without a car. • Housing an issue for families in poverty • Childcare is expensive or availability a challenge, esp if inaccessible without a car. • No counsellor position at the school this year.	• Wrap-around services for housing families with different needs, that includes access to furniture and goods. • Addressing stigma of poverty (this has shifted for the positive a bit with COVID) • Transportation barrier - taxi vouchers, volunteer drivers)

Agency	Services	Target Group	Capacity/Resources	Wishlist
First Nations Health Authority	The First Nations Health Authority plans, designs, manages, and funds the delivery of First Nations health programs and services in BC. We are the health and wellness partner to BC's 203 diverse First Nations communities and citizens across the province. These community-based services are largely focused on health promotion and disease prevention - such as: • Primary Care Services • Children, Youth and Maternal Health • Mental Health and Addictions Programming • Health and Wellness Planning • Health Infrastructure and Human Resources • Environmental Health and Research • First Nations Health Benefits • eHealth Technology Our work does not replace the role or services of the Ministry of Health and Regional Health Authorities. The First Nations Health Authority collaborates, coordinates, and integrates our respective health programs and services to achieve better health outcomes for BC First Nations in rural and urban settings. The FNHA's community-based services are largely focused on health promotion and disease prevention and include: • primary health care through more than 130 medical health centres and nursing stations • children, youth and maternal health • mental health and wellness • communicable disease control • environmental health and research • health benefits • e-health and telehealth • health and wellness planning • health infrastructure and human resources Resources Available: Mental Health Benefit (counselling support); Health Benefits (Dental, Vision and Medical Supplies) Virtual Doctor of the Day (primary health care); Virtual Substance Use and Psychiatry Service Tsow-Tun le Lum (counselling and cultural supports); Treatment Centres	First Nations members FNHA supports a First Nations perspective on health and wellness to support improving health outcomes, lens through Social Determinants of Health and ongoing colonialism. Community driven, Nation based health and wellness services in community. Building the capacity within Island Health to advocate for cultural supports, etc. for the community.		First Nations members FNHA supports a First Nations perspective on health and wellness to support improving health outcomes, lens through Social Determinants of Health and ongoing colonialism. Community driven, Nation based health and wellness services in community. Building the capacity within Island Health to advocate for cultural supports, etc. for the community.

Agency	Services	Target Group	Capacity/Resources	Wishlist
Nutsumaat Lelum Child Care	Childcare services: Support for families - care plans for families in crisis; Head Start for children; Meals, Care packages	0 to school age children and their families (38 families currently served)	• Staff, funding and space are all in need, slowly outgrowing our space. • Finding qualified staff (this is an industry-wide challenge)	• Transportation • More outreach in the community
Stz'uminus Health Centre	Health care and mental health services with 2 nurses (community health nurse, home and community care nurse), 2 counselors (mental health), and 1 drug and alcohol counsellor on staff. Pre and post natal support Baby immunization Home care Chronic injury prevention Suicide awareness, MMIW support, Grief and Loss, parenting support Diabetes Program Dental Therapist from FNHA 2x/week Pharmacist 1x/month Weekly Elders' lunches Elders' exercise classes Nurse Practitioners from Island Health 2x/week Pedorthic Foot doctor every 6 weeks	Stz'uminus community members	• High turnover of nurses • High turnover of Health Directors • High turnover of counselors • Lack of trust in the community of outsiders • COVID has really impacted services, especially in person programs • Space is inadequate for needs (pre-COVID)	• Transportation is a very big issue for Stz'uminus residents - can't access services in Ladysmith or specialized medical needs in bigger communities (Duncan or Nanaimo). • Internet services is a big challenge (sporadic) • Communication with members (not everyone is on FB) • Housing an issue - poor quality housing & overcrowding • More youth programming • Suicide awareness programming
Seniors Centre	Provide social recreation, health, and fitness and special interest activities to keep 55+ members active and involved. $20 annual membership	Seniors 55+	• Did not respond to request to meet.	
Town of Ladysmith - Parks, Recreation and Culture	Leisure Access Program provides a fee subsidy to Ladysmith residents in financial need. The subsidy enhances access to recreation and is available for admissions and program registration in Ladysmith. Proof of income and residency is required to determine the eligibility for the program. The program includes a 50-percent reduction in cost for most programs four times per year (one per season) and a 50-percent discount on facility admissions. Advertised on Program Guides. Programs offered for all ages. The PRC offers many annual Family oriented community events, such as Festival of Lights	Ladysmith residents that can provide proof of residency and low income. Community Events are open to everyone.		

E: Questionnaire Questions

1. **How does living in poverty affect you or the people in your community?**
2. **How does poverty affect our community as a whole?**
3. **What ideas do you have or actions can we take to make life easier for someone living in poverty?**
4. **What helps you live a healthy and happy life?**
5. **How will we know when we have ended poverty in our community?**
6. **Is there anything else you would like to share?**
7. **Where do you live?**
8. **I identify my gender as:**
9. **How old are you?**

Outstanding Questions:

- Information on Poverty Challenges

F: List of Literature/Documents reviewed and/or referenced

Town of Ladysmith Planning Documents:

Ladysmith Economic Development Strategy Final Report. (2018). Vann Struth Consulting Group Inc. pg i-11. https://www.ladysmith.ca/docs/default-source/brochures-other-publications-2021/final-sept-19-ladsymith-economic-development-strategy.pdf?sfvrsn=d9dbe9db_2

Ladysmith Parks, Recreation & Culture Master Plan. (2016). Parks, Recreation, and Culture, Town of Ladysmith: GDH Solutions. pg. 1-78. https://www.ladysmith.ca/docs/default-source/brochures-other-publications-2021/2016-parks-recreation-culture-master-plan.pdf?sfvrsn=4a69dcb7_6

Ladysmith Secondary Suites. (2021). Town of Ladysmith. https://www.ladysmith.ca/docs/default-source/b-d---informational-documents-2021/secondary-suites-frequently-asked-questions.pdf?sfvrsn=925a396c_15

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Ladysmith Youth Plan. (2018). Neil Smith, Mae Doran Pacific Leadership Design. pg. 1-98. https://www.ladysmith.ca/docs/default-source/2018-parks-rec/2018-08-08-lyp_document.pdf?sfvrsn=9fae9db_0

Town of Ladysmith 2020-2023 Strategic Plan. (2021). Town of Ladysmith. pg. 1-20. https://www.ladysmith.ca/docs/default-source/brochures-other-publications-2021/tol_strategic-plan_2020-2023_web.pdf?sfvrsn=2d4aebdb_0

Town of Ladysmith Community Plan – Schedule A of Bylaw No, 1488. (2003). "Reflecting On Our Future." pg. 1-68. https://www.ladysmith.ca/docs/default-source/bylaws-2021/bylaw-1488-official-community-plan-(ocp).pdf?sfvrsn=e70bcfa8_14

Town of Ladysmith Development Permit Areas. (2020). Schedule A.1 of The Town of Ladysmith Official Community Plan. pg. 1-72. https://www.ladysmith.ca/docs/default-source/b-d---informational-documents-2021/schedule-a-1---development-permit-area-guidelines.pdf?sfvrsn=796adad_36

Partnerships Between Town of Ladysmith and Stz'uminus:

Community Accord 2007
https://www.ladysmith.ca/docs/agreements/2007-01-27-community-accord-cfn-tol.pdf?sfvrsn=d9c829eb_0

Joint Community Report Feb 2016 – Naut'sa mawt Community Accord "Working Together"
https://www.ladysmith.ca/docs/agreements/tol-jointcommunityreport-feb2016.pdf?sfvrsn=1887680_6

Naut'sa mawt Community Accord 2012:
https://www.ladysmith.ca/docs/agreements/2012-05-25-naut'sa-mawt-accord-fully-executed.pdf?sfvrsn=af1aa2fe_4

Cooperation Protocol:
https://www.ladysmith.ca/docs/agreements/2012-07-03-signed-cooperation-protocol-sfn-and-tol.pdf?sfvrsn=5f9819d_0

Memorandum of Understanding:
https://www.ladysmith.ca/docs/agreements/2012-10-22-memorandum-of-understanding-signed-sfn-and-tol.pdf?sfvrsn=9ff8dae5_0

Local and Regional Data and Information:

Cowichan Valley North Local Health Area Profile:
www.islandhealth.ca/sites/default/files/cowichan-valley-north-local-health-area-profile.pdf

CVRD Regional Housing Needs Assessment (2021):
https://www.cvrd.ca/DocumentCenter/View/99617/Regional-Housing-Needs-Assessment---1---Report?bidId=

Town of Ladysmith Sub-regional Housing Needs Assessment Report. January 2021
https://www.cvrd.ca/DocumentCenter/View/99731/1---Snapshot

2016 Census:
www150.statcan.gc.ca/n1/pub/75f0002m/75f0002m2020003-eng.htm

Cowichan Community Health Profile:
http://www.ourcchn.ca/files/Cowichan%20Communities%20Health%20Profile_FINAL%20Feb%207.pdf

Livable Wage and Employment Strategies:

Living Wage for Families Campaign:
https://www.livingwageforfamilies.ca/living_wage_calculator

Employment Strategies to Reduce Poverty:
https://www.bsr.org/en/our-insights/blog-view/how-companies-can-tackle-poverty-through-inclusive-employment-strategies

Poverty Strategies, Plans and Evaluation Frameworks:

Government of Canada Poverty Reduction Plan
https://www.canada.ca/en/employment-social-development/programs/poverty-reduction/reports/strategy.html

TogetherBC Provincial Poverty Reduction Plan:
https://engage.gov.bc.ca/govtogetherbc/impact/b-c-poverty-reduction-results/

Enough for All (Calgary):
https://prismic-io.s3.amazonaws.com/enoughforall/5e8e62ac-7d2b-4a33-93b6-25c05265288b_EnoughforAll2.0.pdf

End Poverty Edmonton:
https://static1.squarespace.com/static/5d02aedc004fc3000119590a/t/5d2f87c503060100016d0b3a/1563396045470/EPE-Strategy.pdf

Thriving for All (Lower Columbia Region):
http://www.communityskillscentre.com/wp-content/uploads/2017/11/ThrivingforAll_e-version.pdf
State of Poverty research report done prior to plan:
http://www.communityskillscentre.com/wp-content/uploads/2017/01/RDI-State-Of-Poverty-Report-ONLINE.pdf

TO Prosperity (Toronto):
https://www.toronto.ca/wp-content/uploads/2017/11/9787-TO_Prosperity_Final2015-reduced.pdf

Peel Region Poverty Reduction Strategy:
http://www.povertyinpeel.ca/_include/Peel-Poverty-Reduction-Strategy-2018-2028.pdf

London for All (London Ont.):
http://unitedwayem.ca/london-for-all/

Thrive Medicine Hat:
https://www.thrivemh.ca/

Living St. John's Social Renewal Strategy:
https://cdn2.hubspot.net/hubfs/316071/VC/Living SJ/Living_SJ_Social_Renewal_Strategy.pdf
http://www.livingsj.ca/

Everyone is Home: Yellowknife 10 Year Plan to End Homelessness:
https://www.yellowknife.ca/en/living-here/resources/Homelessness/EVERYONE-IS-HOME---YELLOWKNIFE-10-YEAR-PLAN-TO-END-HOMELESSNESS-FINAL-REPORT-JULY-2017.pdf

Tamarack Institute Cities Reducing Poverty Resources:

Cities Reducing Poverty Impact Report 2020:
https://www.tamarackcommunity.ca/hubfs/Resources/Publications/CRP Impact Report Summary.pdf

PAPER | State of Cities Reducing Poverty:
https://www.tamarackcommunity.ca/library/state-of-cities-reducing-poverty?utm_campaign=CoP&utm_medium=email&_hsmi=39106949&_hsenc=p2ANqtz-_4MVqMcSMeEmic6hBwhxT_

Wheel of Engagement tool:
https://www.tamarackcommunity.ca/hubfs/Collective Impact/Tools/Stakeholder Engagement Wheel Tool May 2017.pdf?hsCtaTracking=95a70673-e3d3-4b0b-961f-432670166a60%7Ce578f338-782e-4d86-97d5-efb99bb7f6b5

SUMMARY | A Collection of Poverty Reduction Strategies:
https://www.tamarackcommunity.ca/library/summary-select-poverty-reduction-strategies
https://cdn2.hubspot.net/hubfs/316071/CRP Annontated Bibliography_Final .pdf?__hssc=163327267.17.1600097106301&__hstc=163327267.fba5091f82da5cbc4576870bcf452ac2.1600097106300.1600097106300.1600097106300.1&__hsfp=1886519386&hsCtaTracking=dc94ffd2-f622-4fd8-bb22-220502b31c3b%7Cbeea2d26-2a7a-4865-97ca-93ceb33ccde6

Collective Impact:
https://www.tamarackcommunity.ca/collectiveimpact

Other Resources / Reference:

Community Food Centres - Beyond Hunger: The Hidden Impact of Food Insecurity:
https://beyondhunger.ca/page/66634/action/1?fbclid=IwAR2ifzl2y6mG4ulAplAbtgQSt0YcHo5s_Rvj5EnF8WbrW1QLAvHIib3fRjk

United Way 'Make the Month' simulation:
http://www.makethemonth.ca/

Public Health Agency of Canada. 2013. What Makes Canadians Healthy or Unhealthy?
Available at: http://www.phac-aspc.gc.ca/ph-sp/determinants/determinantseng.php#unhealthy

Change is a Double-Sided Coin on Poverty and Trauma:
https://cwp-csp.ca/2019/08/change-is-a-double-sided-coin-an-excerpt-on-poverty-trauma/

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Tiny Homes - An Alternative to Conventional Housing. (2021). BC Housing Research Centre. https://www.bchousing.org/research-centre/library/housing-forms-designs/tiny-homes&sortType=sortByDate

Watson, Bridgette. (2021). Sole laundromat opens on Salt Spring Island funded by local residents for those in need. CBC News. https://www.cbc.ca/news/canada/british-columbia/ssi-laundromat-opens-1.6054135?fbclid=IwAR01N1adInsMnXJNLNBPjbji1KWibxNbWbV44oSRK_FIOPLYZI7PpQ_RZNk

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Younglai, Rachelle. (2021). Condo developer plans to buy $1-billion worth of single family houses in Canada for rentals. The Globe and Mail. https://www.theglobeandmail.com/business/article-condo-developer-to-buy-1-billion-worth-of-single-family-houses-in/

COMMUNITY
TOGETHER TO
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HW-NUTS'-ULWUM

In Ladysmith and Stz'uminus working as one

CommUNITY Together to End Poverty

Hw-nuts'-ulwum *(As One)*

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STAFF REPORT TO COUNCIL

Report Prepared By: Ryan Bouma, Sr. Engineering Technologist
Reviewed By: Geoff Goodall, Director of Infrastructure Services
Meeting Date: September 7, 2021
File No:
Re: **210 Dogwood Drive – Retaining Wall Encroachment**

RECOMMENDATION:

That Council direct staff to enter into an encroachment agreement with the owner of 210 Dogwood Drive, that includes conditions as outlined in the staff report dated September 7, 2021, regarding a retaining wall built on Town of Ladysmith property.

EXECUTIVE SUMMARY:

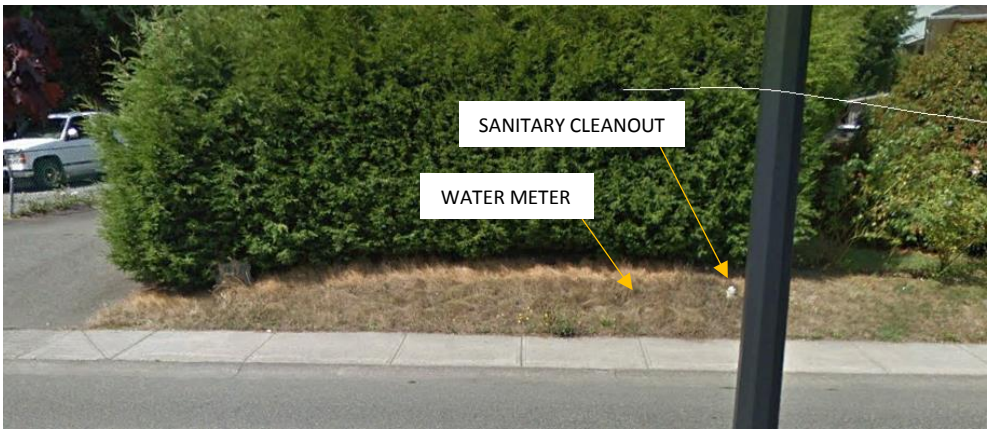
The owner of 210 Dogwood Drive has built a retaining wall on Town property adjacent to the sidewalk. Staff conveyed concerns to the owner about the retaining wall and recommended that they either remove the wall or request an encroachment agreement from Council. Staff have several concerns with leaving the wall, and recommend that an encroachment agreement that incorporates several conditions be required in order to mitigate some of these concerns.

PREVIOUS COUNCIL DIRECTION:

N/A

INTRODUCTION/BACKGROUND:

A retaining wall has been constructed on Town property at 210 Dogwood Drive. The owner confirms that the wall was constructed in the last year for aesthetic reasons as they found the thin soil in the previous boulevard affected the look of the grass. The following photo illustrates the previous conditions during the dry season.



The current condition of the boulevard and wall is shown in the photo below.

During construction of the wall, several changes were made to Town property without consent, including:

- Improper extension of the water meter box;
- Burying of the sanitary sewer clean out;
- Installation of a retaining wall drain adjacent to the sidewalk; and
- The retaining wall forms a barrier adjacent to the sidewalk.

An encroachment agreement should include conditions to repair the water service box, extend the sewer cleanout, and install a protective box on the cleanout. Staff have reviewed the drain and cannot determine a suitable location or alternative solution.

Staff are concerned about the barrier created by the retaining wall. Although the existing sidewalk maintains the required 1.5m, the adjacent boulevard is often used by pedestrians to step out of the way for alternative mobility users. Most new road design guidelines are now recommending a minimum of 1.8m for this reason.

The encroachment agreement should include the following conditions:

- Require the owner to rectify the above noted changes to the water and sewer services;
- Require the owner to be responsible for removal of the wall in the case of a water or sewer service repair (note: during an emergency the Town would remove the wall and charge the owner);
- Require the owner to carry an insurance rider naming the Town of Ladysmith as additionally insured for liability (such as ice forming on the sidewalk);
- Ensure that it is clear that the agreement is revocable at any time (such as the need to widen the sidewalk); and
- Require the owner to pay the legal costs for preparing the agreement.

ALTERNATIVES:

Council can request that the owner remove the wall.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

An encroachment agreement requires legal costs for preparation and annual review of the insurance certificate.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Structures built on Town property, require permission of the Town.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

☐Complete Community Land Use
☐Green Buildings
☐Innovative Infrastructure
☐Healthy Community
☒ Not Applicable
☐ Low Impact Transportation
☐ Multi-Use Landscapes
☐ Local Food Systems
☐ Local, Diverse Economy

ALIGNMENT WITH STRATEGIC PRIORITIES:

☐Infrastructure
☐Community
☐Waterfront
☐ Economy
☒ Not Applicable

I approve the report and recommendations.

Allison McCarrick, Chief Administrative Officer

TOWN OF LADYSMITH

BYLAW NO. 2067

A Bylaw to Close and Remove the Dedication of a Highway

The Council of the Town of Ladysmith, in open meeting assembled, enacts as follows:

1. Those portions of road shown as "road to be closed" on Reference Plan EPP110196, prepared by Ryan J. Turner, B.C.L.S., a copy of which is attached as Schedule 1 and forms a part of this bylaw, is closed to all traffic.

2. The dedication as highway of that part of the road referred to in Section 1 is removed.

3. The Mayor and Corporate Officer are hereby authorized to execute all necessary documents as may be required to carry out the purpose of this bylaw.

Citation

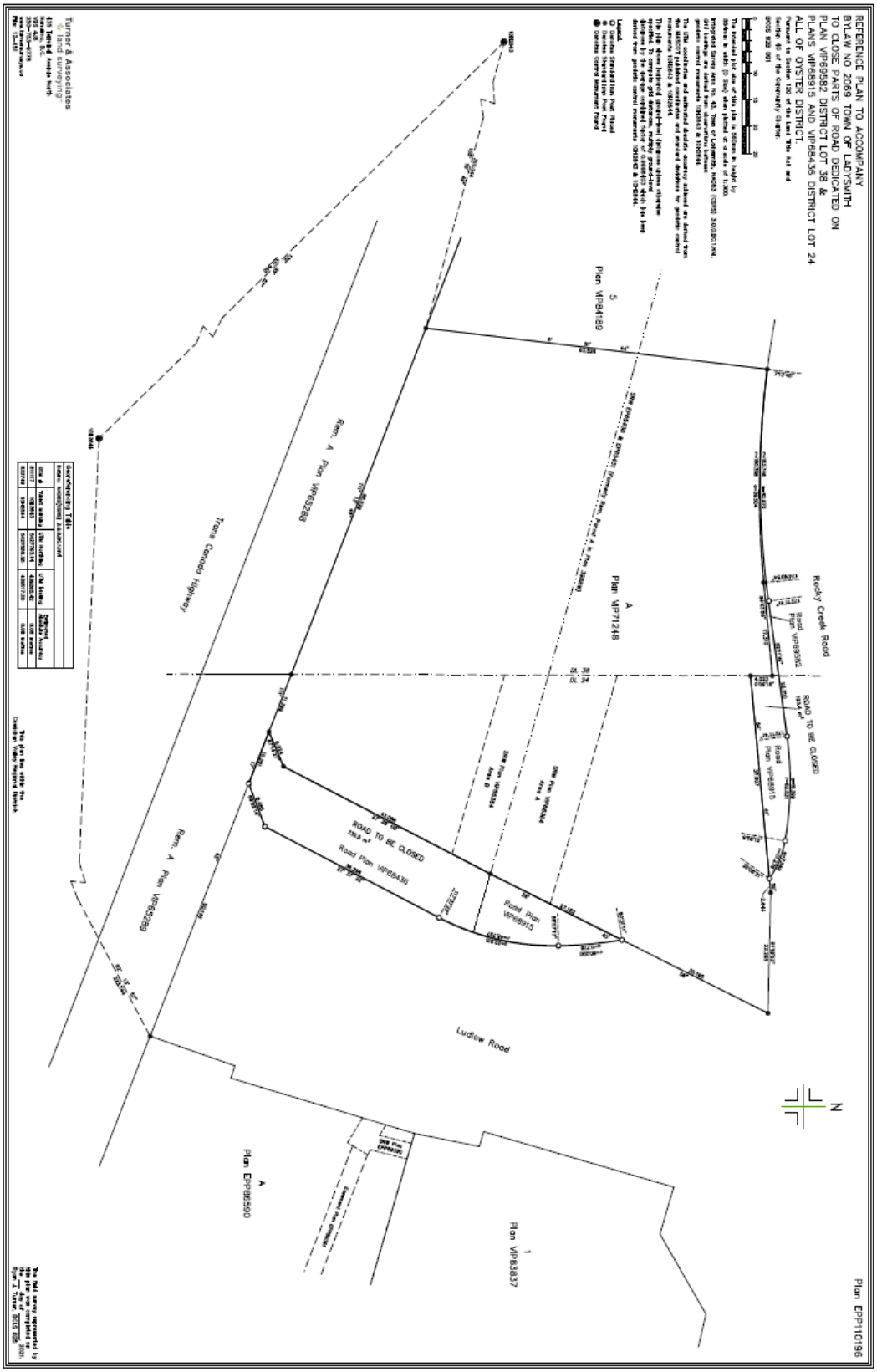
4. This Bylaw may be cited for all purposes as "Road Closure and Dedication Removal Bylaw 2021, No. 2067".

READ A FIRST TIME on the 1st day of June, 2021
READ A SECOND TIME on the 1st day of June, 2021
Notice of intention to proceed with this bylaw was published on the 3rd day of June, 2021 and the 10th day of June, 2021 in the Ladysmith Chronicle newspaper, circulating in the Town of Ladysmith, pursuant to section 94 of the *Community Charter*.
READ A THIRD TIME on the 15th day of June, 2021
APPROVED by the Ministry of Transportation and Infrastructure on the
27th day of July, 2021
ADOPTED on the day of ,

Mayor (A. Stone)

Corporate Officer (D. Smith)

Schedule 1
Road Closure Plan



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READ A FIRST TIME on the 1st day of June, 2021
READ A SECOND TIME on the 1st day of June, 2021
Notice of intention to proceed with this bylaw was published on the 3rd day of June, 2021 and the 10th day of June, 2021 in the Ladysmith Chronicle newspaper, circulating in the Town of Ladysmith, pursuant to section 94 of the *Community Charter*.
READ A THIRD TIME on the 15th day of June, 2021
APPROVED by the Ministry of Transportation and Infrastructure on the
day of ,
ADOPTED on the day of ,

Approved pursuant to section 52(3)(a) of the *Transportation Act*
this 27 day of July 20 21
Ministry of Transportation and Infrastructure

JAMIE LEIGH HOPKINS
A Commissioner for taking affidavits
within the Province of British Columbia
2100 Labieux Road, Nanaimo BC V9T 6E9

Mayor (A. Stone)

Corporate Officer (D. Smith)

TOWN OF LADYSMITH

BYLAW NO. 2086

A bylaw to establish fee schedules for the Frank Jameson Community Centre and other Town of Ladysmith recreation facilities

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The Council of the Town of Ladysmith in open meeting assembled, enacts the following:

1. The fees set forth in Schedule 'A' and Schedule 'B' attached to and forming part of this bylaw are the admission and user fees for the Frank Jameson Community Centre and other recreation facilities.

Repeal

2. "Town of Ladysmith Community Centre and Facilities Fees and Charges Bylaw 2018, No. 1968" is hereby repealed.

Effective Date

3. This bylaw comes into effect on November 1, 2021.

Citation

4. This Bylaw may be cited for all purposes as Town of Ladysmith "Community Centre Fees and Charges Bylaw 2021, No. 2086".

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 (D. Smith)

SCHEDULE A
RECREATION FACILITY ADMISSION FEES

Admission Fees 2021-2024 (GST NOT INCLUDED)

Single Admissions			
Type	**2021/22**	**2022/23**	**2023/24**
Child 0-3 yrs	FREE		
Child 3-12 yrs	3.08	3.14	3.20
Youth 13-18 yrs	4.20	4.29	4.37
Adult 19-59 yrs	6.03	6.15	6.27
Senior 60-79 yrs	4.20	4.29	4.37
Senior 80 & up	FREE		
Family*	11.36	11.59	11.82
10 X Pass			
Type	**2021/22**	**2022/23**	**2023/24**
Child 0-3 yrs	FREE		
Child 3-12 yrs	26.08	26.60	27.13
Youth 13-18 yrs	35.97	36.68	37.42
Adult 19-59 yrs	50.93	51.95	52.99
Senior 60-79 yrs	35.97	36.68	37.42
Senior 80 & up	FREE		
Family	**95.99**	**97.91**	**99.87**
30 X Pass			
Type	**2021/22**	**2022/23**	**2023/24**
Child 0-3 yrs	FREE		
Child 3-12 yrs	62.59	63.84	65.12
Youth 13-18 yrs	95.42	97.33	99.28
Adult 19-59 yrs	134.41	137.10	139.84
Senior 60-79 yrs	95.44	97.35	99.30
Senior 80 & up	FREE		
Family	253.31	258.38	263.54

1-Month Pass			
Type	**2021/22**	**2022/23**	**2023/24**
Child 0-3 yrs	FREE		
Child 3-12 yrs	N/A		
Youth 13-18 yrs	42.59	43.45	44.31
Adult 19-59 yrs	53.30	54.36	55.45
Senior 60-79 yrs	42.59	43.45	44.31
Senior 80 & up	FREE		
Family	100.45	102.46	104.51
12-Month Pass			
Type	**2021/22**	**2022/23**	**2023/24**
Child 0-3 yrs	FREE		
Child 3-12 yrs	N/A		
Youth 13-18 yrs	412.62	420.87	429.29
Adult 19-59 yrs	517.33	527.68	538.23
Senior 60-79 yrs	412.62	420.87	429.29
Senior 80 & up	FREE		
Family	974.99	994.49	1014.38

SCHEDULE B
RECREATION FACILITY RENTAL FEES

- **Commercial bookings……plus 20%**
- **Non-profit bookings**……less 50%**
  **does not include specialized facilities such as swimming pool
- **Registered non-profit youth swim club(s)….less 15%**

Facility (GST not included)	**2021/22**	**2022/23**	**2023/24**
Frank Jameson Community Centre			
Meeting Room Hourly Rate	25.31	25.81	26.33
Meeting Room Hourly with Pool	23.32	23.78	24.26
Meeting Room Daily Rate	101.11	103.14	105.20
Gymnasium Hourly Rate	45.58	46.49	47.42
Gymnasium Daily Rate	392.74	400.60	408.61
Lower Program Room Hourly Rate	44.93	45.83	46.75
Lower Program Room with Pool	23.32	23.78	24.26
Lower Program Room Daily Rate	179.73	183.33	186.99
Lower Rec Room Hourly Rate *NEW	45.58	46.49	47.42
Lower Rec Room Daily Rate *NEW	392.74	400.60	408.61
Locker Rental - small	0.25	0.25	0.25
Locker Rental - large	0.50	0.50	0.50
One Pool	84.95	86.64	88.38
Two Pools	124.78	127.28	129.82
Aggie Hall			
Aggie Hall Hourly Rate (no kitchen)	45.58	46.49	47.42
Aggie Hall Hourly Rate (with kitchen)	76.98	78.52	80.09
Aggie Hall Daily Rate (includes kitchen)	210.08	214.28	218.57
Aggie Hall Receptions Party, Dance	412.95	421.21	429.63

SCHEDULE B (cont.)

Transfer Beach			
NEW - Transfer Beach Kin Shelter HALF DAY	33.82	34.50	35.19
Transfer Beach Kin Shelter FULL Day	56.47	57.60	58.76
NEW - Transfer Beach Sportsmen Shelter HALF DAY	33.82	34.50	35.19
NEW - Transfer Beach Sportsmen Shelter FULL DAY	56.47	57.60	58.75
Transfer Beach Amphitheatre – Full Day Private Family Function	103.98	106.06	108.19
Transfer Beach Amphitheatre – Half Day Private Family Function	59.40	60.59	61.80
Transfer Beach Amphitheatre – Full Day Public Special Event	401.12	409.14	417.32
Transfer Beach Amphitheatre – Performances per Hour	28.41	28.98	29.56
Park Permit (parking lot, upper beach, or lower beach) Full Day	103.98	106.06	108.19
Park Permit (parking lot, upper beach, or lower beach) Half Day	59.40	60.59	61.80
Park Permit (parking lot, upper beach, or lower beach) per Hour	28.41	28.98	29.56
Sports Fields			
Aggie Ball Diamonds per Hour Youth	NO CHARGE		
Aggie Ball Diamonds per Hour Adult	17.22	17.57	17.92
Aggie Ball Diamonds Tournament per Day	147.98	150.94	153.96
High Street Little League Diamonds per Hour Youth	NO CHARGE		
High Street Little League Diamonds Tournament per Day	147.98	150.94	153.96
Holland Creek Ball Diamonds per Hour Youth	NO CHARGE		
Holland Creek Ball Diamonds per Hour Adult	17.22	17.57	17.92
Holland Creek Ball Diamonds Tournament per Day	147.98	150.94	153.96
Forrest Field per Hour Youth	7.62	7.77	7.92
Forrest Field per Hour Adult	27.24	27.79	28.34
Forrest Field per Day Youth	49.44	50.43	51.44
Forrest Field per Day Adult	183.83	187.51	191.26
Miscellaneous			
Chairs (25)	24.08	24.56	25.05
Forrest Field Half Lights per Hour	12.77	13.03	13.29
Forrest Field Full Lights per Hour	16.58	16.91	17.25
Aggie Field Lights	6.39	6.51	6.64
FJCC Field Lights	6.39	6.51	6.64

STAFF REPORT TO COUNCIL

Report Prepared By: Chris Barfoot, Director Parks, Recreation & Culture
Reviewed By: Allison McCarrick, CAO
Meeting Date: July 20, 2021
File No: **8160-01**
Re: **Parks, Recreation and Culture Fees and Charges**

RECOMMENDATION:

That Council direct staff to:

1. Prepare the following amendments to "Town of Ladysmith Community Centre and Facilities Fees and Charges Bylaw 2018, No. 1968":
   - Increase admission and pass fees by 2 percent per year, effective November 1, 2021, September 1, 2022, and September 1, 2023;
   - Increase facility rental fees, park permit fees and sport field light fees by 2 percent per year, effective November 1, 2021, September 1, 2022 and September 1, 2023;
   - Add the Kinsmen Picnic Shelter Half-Day Rental Rate;
   - Add the Sportsmen Shelter Full-Day and Half-Day Rental Rates; and

2. Begin a consultation process with the primary local sport clubs on the impacts of the introduction of grass sport field rental rates to membership fees.

Previously Reviewed

EXECUTIVE SUMMARY:

Staff have reviewed the current "Town of Ladysmith Community Centre and Facilities Fees and Charges Bylaw 2018, No. 1968" as amended, including a market analysis, inflationary costs, and ensuring fees are still comparable within the region. Staff are recommending continuing with a 2 percent increase to pass fees, facility rental fees, park permit fees and sport light fees each year for the next three years.

Upon investigating the rental rates, grass sport field rentals were identified for further review and analysis. This review would involve consultation with the local sport organizations to gain a better understanding of impacts of rental rates on participant fees.

PREVIOUS COUNCIL DIRECTION:

Resolution	Meeting Date	Resolution Details
CS 2018-214	06/18/2018	That Council adopt "Town of Ladysmith Community Centre and Facilities Fees and Charges Bylaw 2018, No. 1968".

INTRODUCTION/BACKGROUND:

In September 2018, Council authorized a 2 percent increase per year in Admission and Pass fees and committed to continue waiving admission for seniors over the age of eighty and children under the age of three. Council also authorized a 2 percent increase per year for facility rental fees, park permit fees and sport field light fees. It is recommended that an annual increase of 2 percent be implemented for the next three years (2021-2023). The proposed fees are shown in Attachments A and B.

Staff have completed a review of the existing fees and charges. During this review, staff used the attached Fees and Charges Policy guidelines seen in Attachment H to develop recommendations. Staff considered market analysis and inflationary costs and ensured that fees are still comparable within the region.

Facility Fees and Charges

Rental Charge

In determining appropriate rental rates, staff compared neighboring communities and similar facilities. Due to various facility sizes, amenities offered and rental requirements, an overall average was used for the rental fee comparison. This analysis confirmed that Ladysmith's fees for facility rentals are comparable in the region and in many cases lower than comparable facilities.

Continuing with the 2 percent annual increase on rental rates will provide the opportunity to maintain operational budget recovery percentages, and continue to provide access for community usage. All facility rentals are based on full charges, with registered non-profit societies receiving a 50 percent discount on fees associated with rentals not including the swimming pool. In 2020, Council approved the introduction of a 15% subsidy to local aquatic youth non-profits, ensuring the ability to provide aquatic community based programming.

Further Review and Analysis

As maintenance expenses necessary to maintain the Town's grass sport fields continue to rise between 2-5 percent, staff recommend consulting user groups to analyze impacts of applying rental rates. Conducting this review over the next 3 years will provide an opportunity to find a viable solution to lessen the burden on taxpayers and reduce the impacts to the primary local sport organizations utilizing the fields and participant membership fees.

While comparing rental rates for the picnic shelters located at Transfer Beach, it was identified that there is no fee listed in the existing bylaw for the rental of the Sportsman Shelter. However, there is an option to rent the Kinsmen Shelter. It would be beneficial to capture the rental fee for the Sportsman Shelter in the Bylaw.

Admission and Passes

Previously Reviewed

Similar to the facility rental fees, admission and pass fees have been reviewed on a marketplace comparison for similar services, programs and amenities within the region. The proposed increase of 2 percent is consistent with what has been utilized in the past by Ladysmith and within the market.

ALTERNATIVES:

Council can choose to:

1. Maintain the current fees structure.
2. Change the proposed fees and charges to a different percentage increase.

FINANCIAL IMPLICATIONS:

The financial impact resulting from the proposed annual 2 percent increase for passes and admissions is anticipated to be approximately $6,000 each year based on pre-COVID attendance numbers. Facility rental fee increases for the same period would result in a projected revenue increase of approximately $2,500.

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

It's anticipated that the proposed admission fee increase will have minimal impact on user participation. Ladysmith residents with financial barriers have the opportunity to participate in the Leisure Access Program, which provides eligible participants the opportunity to receive a 50 percent discount on admissions and passes.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

☐Complete Community Land Use
☐Green Buildings
☐Innovative Infrastructure
☒Healthy Community
☐ Not Applicable
☐ Low Impact Transportation
☐ Multi-Use Landscapes
☐ Local Food Systems
☒ Local, Diverse Economy

ALIGNMENT WITH STRATEGIC PRIORITIES:

☐Infrastructure
☒Community
☐Waterfront
☒ Economy
☐ Not Applicable

I approve the report and recommendation(s).

Allison McCarrick, Chief Administrative Officer

Previously Reviewed

ATTACHMENTS:

A. Proposed Fees (2021-2024)
B. Proposed Facility Rental Fees (2021-2024)
C. Current Regional Single Admission Comparison
D. Current Regional Pass Comparison
E. Current Regional Facility Rental Fee Comparison
F. Current Pool Rental Fees and Charges
G. Current Fees and Charges Matrix
H. Fees and Charges Policy

Previously Reviewed

Appendix A

Proposed Fees 2021-2024 (GST NOT INCLUDED)

Single Admissions				
Type	**Current**	**2021/22**	**2022/23**	**2023/24**
Child 0-3 yrs	FREE	FREE		
Child 3-12 yrs	3.02	3.08	3.14	3.20
Youth 13-18 yrs	4.12	4.20	4.29	4.37
Adult 19-59 yrs	5.91	6.03	6.15	6.27
Senior 60-79 yrs	4.12	4.20	4.29	4.37
Senior 80 & up	FREE	FREE		
Family*	11.14	11.36	11.59	11.82
10 X Pass				
Type	**2020/21**	**2021/22**	**2022/23**	**2023/24**
Child 0-3 yrs	FREE	FREE		
Child 3-12 yrs	25.56	26.08	26.60	27.13
Youth 13-18 yrs	35.26	35.97	36.68	37.42
Adult 19-59 yrs	49.93	50.93	51.95	52.99
Senior 60-79 yrs	35.26	35.97	36.68	37.42
Senior 80 & up	FREE	FREE		
Family	94.11	95.99	97.91	99.87
30 X Pass		REMOVE		
Type	**2020/21**	**2021/22**	**2022/23**	**2023/24**
Child 0-3 yrs	FREE	FREE		
Child 3-12 yrs	61.36	62.59	63.84	65.12
Youth 13-18 yrs	93.55	95.42	97.33	99.28
Adult 19-59 yrs	131.77	134.41	137.10	139.84
Senior 60-79 yrs	93.57	95.44	97.35	99.30
Senior 80 & up	FREE	FREE		
Family	248.34	253.31	258.38	263.54

1-Month Pass				
Type	**2020/21**	**2021/22**	**2022/23**	**2023/24**
Child 0-3 yrs	FREE	FREE		
Child 3-12 yrs	N/A	N/A		
Youth 13-18 yrs	41.76	42.59	43.45	44.31
Adult 19-59 yrs	52.25	53.30	54.36	55.45
Senior 60-79 yrs	41.76	42.59	43.45	44.31
Senior 80 & up	FREE	FREE		
Family	98.48	100.45	102.46	104.51
12-Month Pass				
Type	**2020/21**	**2021/22**	**2022/23**	**2023/24**
Child 0-3 yrs	FREE	FREE		
Child 3-12 yrs	N/A	N/A		
Youth 13-18 yrs	404.53	412.62	420.87	429.29
Adult 19-59 yrs	507.19	517.33	527.68	538.23
Senior 60-79 yrs	404.53	412.62	420.87	429.29
Senior 80 & up	FREE	FREE		
Family	955.87	974.99	994.49	1,014.38

Previously Reviewed

Appendix B

Proposed Facility Rental Fees 2021-2024 (GST NOT INCLUDED)

Facility	2020/21	2021/22	2022/23	2023/24
Frank Jameson Community Centre				
Meeting Room Hourly Rate	24.81	25.31	25.81	26.33
Meeting Room Hourly with Pool	22.86	23.32	23.78	24.26
Meeting Room Daily Rate	99.13	101.11	103.14	105.20
Gymnasium Hourly Rate	44.68	45.58	46.49	47.42
Gymnasium Daily Rate	385.04	392.74	400.60	408.61
Lower Program Room Hourly Rate	44.05	44.93	45.83	46.75
Lower Program Room with Pool	22.86	23.32	23.78	24.26
Lower Program Room Daily Rate	176.21	179.73	183.33	186.99
Lower Rec Room Hourly Rate *NEW	44.69	45.58	46.49	47.42
Lower Rec Room Daily Rate *NEW	385.04	392.74	400.60	408.61
Locker Rental - small	0.25	0.25	0.25	0.25
Locker Rental - large	0.50	0.50	0.50	0.50
One Pool	83.28	84.95	86.64	88.38
Two Pools	122.34	124.78	127.28	129.82
Aggie Hall				
Aggie Hall Hourly Rate (no kitchen)	44.68	45.58	46.49	47.42
Aggie Hall Hourly Rate (with kitchen)	75.47	76.98	78.52	80.09
Aggie Hall Daily Rate (includes kitchen)	205.96	210.08	214.28	218.57
Aggie Hall Receptions Party, Dance	404.85	412.95	421.21	429.63
Transfer Beach				
NEW - Transfer Beach Kin Shelter HALF DAY		33.82	34.50	35.19
Transfer Beach Kin Shelter FULL Day	55.37	56.47	57.60	58.76
NEW - Transfer Beach Sportsmen Shelter HALF DAY		33.82	34.50	35.19
NEW - Transfer Beach Sportsmen Shelter FULL DAY		56.47	57.60	58.75
Transfer Beach Amphitheatre – Full Day Private Family Function	101.95	103.98	106.06	108.19
Transfer Beach Amphitheatre – Half Day Private Family	58.24	59.40	60.59	61.80
Transfer Beach Amphitheatre – Full Day Public Special Event	393.25	401.12	409.14	417.32
Transfer Beach Amphitheatre – Performances per Hour	27.86	28.41	28.98	29.56
Park Permit (parking lot, upper beach, or lower beach) Full Day	101.95	103.98	106.06	108.19
Park Permit (parking lot, upper beach, or lower beach) Half Day	58.24	59.40	60.59	61.80
Park Permit (parking lot, upper beach, or lower beach) per Hour	27.86	28.41	28.98	29.56
Sports Fields				
Aggie Ball Diamonds per Hour Youth	NO CHARGE	NO CHARGE	NO CHARGE	NO CHARGE
Aggie Ball Diamonds per Hour Adult	16.88	17.22	17.57	17.92
Aggie Ball Diamonds Tournament per Day	145.08	147.98	150.94	153.96
High Street Little League Diamonds per Hour Youth	NO	NO CHARGE	NO CHARGE	NO CHARGE
High Street Little League Diamonds Tournament per Day	145.08	147.98	150.94	153.96
Holland Creek Ball Diamonds per Hour Youth	NO	NO CHARGE	NO CHARGE	NO CHARGE
Holland Creek Ball Diamonds per Hour Adult	16.88	17.22	17.57	17.92
Holland Creek Ball Diamonds Tournament per Day	145.08	147.98	150.94	153.96
Forrest Field per Hour Youth	7.47	7.62	7.77	7.92
Forrest Field per Hour Adult	26.71	27.24	27.79	28.34
Forrest Field per Day Youth	48.47	49.44	50.43	51.44
Forrest Field per Day Adult	180.23	183.83	187.51	191.26
Miscellaneous				
Chairs (25)	23.61	24.08	24.56	25.05
Forrest Field Half Lights per Hour	12.52	12.77	13.03	13.29
Forrest Field Full Lights per Hour	16.25	16.58	16.91	17.25
Aggie Field Lights	6.26	6.39	6.51	6.64
FJCC Field Lights	6.26	6.39	6.51	6.64

Previously Reviewed

Appendix C

Current Regional Single Admission Comparison (GST NOT INCLUDED)

COMMUNITY	CHILDREN	YOUTH	SENIORS	ADULTS	FAMILY
Campbell River (Strathcona Gardens)	3.00	4.00	4.25	5.75	11.50
Comox Valley Sports Centre (SC) - All Facility Access - Including Pool	3.15	3.70	5.00	5.90	12.65
Cowichan Aquatic Centre	3.10	4.45	4.70	6.20	14.00
Cowichan Arena	3.25	4.25	4.25	6.00	13.00
Cowichan Lake Recreation - Cowichan Lake Sports Arena (CLSA)	3.50	4.00	4.25	5.25	15.00
Esquimalt	2.75	3.00	4.25	5.75	11.50
Fuller Lake	3.10	4.45	4.70	6.20	N/A
Gold River	3.55	4.05	4.40	5.55	11.45
Mill Bay (2020/21)	3.25	4.25	4.25	5.50	13.50
Nanaimo	3.75	5.25	5.25	7.00	14.00
Oak Bay	3.40	5.25	5.25	6.75	13.50
RDN Parksville (Oceanside Place) & Qualicum (Ravensong Aquatic Centre)	3.35	4.47	5.00	6.39	12.98
Port Hardy Aug. 2020-2021	3.40	4.10	3.40	5.40	11.75
Powell River	3.60	4.90	5.40	6.45	13.30
Sidney/North & Central/Saanich - Panorama Recreation	3.50	3.50	5.50	6.75	13.50
Sooke (effective September 1/2019)	3.00	3.50	4.75	6.50	13.00
Saanich CW Place	4.00	4.00	6.00	7.00	14.00
City of Victoria (Crystal Pool & Fitness)	3.05	3.60	4.65	5.80	11.70
Sunshine Coast - SCRD - (Pender Harbour Aquatic and Fitness Centre)	3.75	4.50	5.00	5.50	10.00
Westshore Parks and Rec	3.55	4.75	5.15	6.85	13.69
AVERAGE	3.35	4.20	4.77	6.12	12.84
Ladysmith Current	3.02	4.12	4.12	5.91	11.14
Ladysmith Proposed	3.08	4.20	4.20	5.79	11.14

Previously Reviewed

Appendix D

Current Regional Pass Comparison (current fees - no increase)

	Nanaimo	RDN	North Cowichan	CVRD	Ladysmith
10 X Pass					
Child (0-36 mos)	FREE	FREE	18.85		FREE
Child (3-12yrs)	30.00	30.15	28.05	27.40	25.56
Youth (13-18yrs)	42.00	40.26	39.80	33.30	35.26
Adult (19-59yrs)	56.00	57.55	56.10	53.10	49.03
Senior*	42.00	44.68	42.35	45.00	35.26
Family		116.80			94.11
30 X Pass					
Child (0-36 mos)	N/A				FREE
Child (3-12yrs)					61.36
Youth (13-18yrs)					93.55
Adult (19-59yrs)					131.77
Senior*					93.57
Family					248.34
1 Month Pass					
Child (0-36 mos)		N/A	18.35		FREE
Child (3-12yrs)	22.00		27.55	37.80	N/A
Youth (13-18yrs)	42.00		39.80	44.40	41.76
Adult (19-59yrs)	56.00		52.00	70.80	52.25
Senior*	30.00			60.00	41.76
Family					98.48
12 Month Pass					
Child (0-36 mos)			232.25		FREE
Child (3-12yrs)	270.00	235.14	351.90	249.48	N/A
Youth (13-18yrs)	378.00	314.01	492.65	293.05	404.53
Adult (19-59yrs)	500.00	448.90	703.80	467.30	507.19
Senior*	378.00	350.87	527.85	396.00	404.53
Family	1,000.00	911.06			955.87

*Ladysmith children under the age of 3years and seniors the age of 80 years are free

Previously Reviewed

Appendix E

Current Regional Facility Sports Field Hourly Rental Fees Comparison

Community	Grass Field (Youth)	Artifical Turf (Youth)	Grass Field (Adult)	Artifical Turf (Adult)
CVRD	$ 12.00	$ 12.00	$ 20.25	$ 20.25
Duncan	$ 10.00	$ 10.00	$ 10.00	$ 10.00
North Cwichan	No Charge	$ 15.30	No Charge	$ 30.60
Nanaimo	$6-12	$ 12.00	$26-34	$ 34.00
Ladysmith	No Charge	$ 7.47	$ 16.55	$ 26.71

Previously Reviewed

Appendix F

Current Regional Pool Rental Fee Comparison (GST NOT INCLUDED)

COMMUNITY	SWIM MEET RATE PER HOUR 2021/2022	FULL POOL RATE PER HOUR 2021/2022	PER LANE RATE PER HOUR 2021/2022
Campbell River	133.87 (included 2 guards)	161.70 full pool (guards @ actual cost) 50.92 shared	10.50/minor sports 24.41/masters 27.03 adult/commercial
Comox Valley Sports Centre (SC)	125.30	Youth 86.10 Adult 164.30	Youth 14.35 Adult 22.85, other 27.40
Comox Valley Aquatic Centre (AC)	167.10	Youth 114.80 Adult 219.00	Youth 14.35 Adult 22.85, other 27.40
Cowichan Aquatic Centre	Full Day Rates: 1589.35 Half Day Rate: 847.65 (includes full aquatic side, staffing and two party rooms)	Prime Time/Non Prime Commercial: 316.45 / 269.00 Private: 158.20 / 134.50 Schools: 94.95 /80.70 Non Prof: 118.65 / 100.90	Prime Time/Non Prime Commercial: 40.70 / 34.60 Private: 20.35 / 17.30 Schools: 12.20 /10.40 Non Prof: 15.25/12.95
Esquimalt Recreation Centre	N/A	170.00/hour plus 26.50/hour for each lifeguard needed	Commercial: 21.75/hour Not for profit: 13.75/hour
Gold River	59.15	135.15 (2 hr minimum)	22.25
Ladysmith	Not Applicable due to space limitations	121.04	13.26
Nanaimo	Private/Adult = 21.72/lane Youth=10.86/lane	NAC=845.73 Beban=417.85	Private/Adult = 21.72 Youth=10.86
Oak Bay	N/A	N/A	14.75
Port Hardy Aug. 2020/2021	N/A	88.75	21.16
Powell River	N/A	107.45 youth/161.15 adult/251.85 commercial	17.95 Youth/ 26.90 Adult
Ravensong (Parks/Qualicum) RDN	Pool All - Minor 143.36/Adult 213.66/Commercial 382.19	Minor 95.53/Adult 142.45/Commercial 238.11	Minor 15.45/Adult 22.73/Commercial 37.79
Saanich Commonwealth Place	non profit 16.28/lane	Leisure Lap Pools Only 142.28 After Hours 166.69	29.66
Saanich (Gordon Head)	non profit 16.28/lane		29.66
Sidney/North & Centre Saanich (Panorama)	Youth 115.00	Youth 115.00	Youth 14.70
Sooke (effective Septempber 1/19)	adult commercial 25.00	includes 2 guards 150.00	Youth 13.00
Sunshine Coast **Non Profit** - (Gibsons & District Aquatic Facility)	75.00	75.00	20.00
Sunshine Coast **Commercial** - (Gibsons & District Aquatic Facility)	90.00	90.00	25.00
Sunshine Coast **Non Profit** - (Sechelt Aquatic Facility)	145.00 Competition and or leisure Tank	145.00 Competition and or leisure Tank	19.00
Sunshine Coast **Commercial** - (Sechelt Aquatic Facility)	275.00 Competition and or Leisure Tank	275.00 Competition and or Leisure Tank	25.00
Sunshine Coast **Non Profit** - (Pender Harbour Aquatic and Fitness Centre)	85.00/hour (includes 2 lifeguards)	85.00/hour (includes 2 lifeguards)	21.25
Sunshine Coast **Commercial** - (Pender Harbour Aquatic and Fitness Centre)	n/a	85.00/hour (includes 2 lifeguards)	21.25
Westshore Parks & Rec.	144.00/youth commrc/swim clubs	264.00/commercial	18.00 non profit 33.00 commercial

Previously Reviewed

Appendix G

Current Fees Matrix (2018-2021

Single Admissions			
Type	**2018/19**	**2019/20**	**2020/21**
Child 0-3 yrs	FREE		
Child 3-12 yrs	2.90	2.96	3.02
Youth 13-18 yrs	3.96	4.04	4.12
Adult 19-59 yrs	5.68	5.80	5.91
Senior 60-79 yrs	3.96	4.04	4.12
Senior 80 & up	FREE		
Family*	11.14	11.14	11.14

10 X Pass			
Type	**2018/19**	**2019/20**	**2020/21**
Child 0-3 yrs	FREE		
Child 3-12 yrs	24.57	25.06	25.56
Youth 13-18 yrs	33.89	34.57	35.26
Adult 19-59 yrs	48.00	48.95	49.93
Senior 60-79 yrs	33.89	34.57	35.26
Senior 80 & up	FREE		
Family	94.11	94.11	94.11

30 X Pass			
Type	**2018/19**	**2019/20**	**2020/21**
Child 0-3 yrs	FREE		
Child 3-12 yrs	58.98	60.16	61.36
Youth 13-18 yrs	89.92	91.72	93.55
Adult 19-59 yrs	126.66	129.19	131.77
Senior 60-79 yrs	89.94	91.74	93.57
Senior 80 & up	FREE		
Family	248.34	248.34	248.34

1-Month Pass			
Type	**2018/19**	**2019/20**	**2020/21**
Child 0-3 yrs	FREE		
Child 3-12 yrs	N/A		
Youth 13-18 yrs	40.14	40.94	41.76
Adult 19-59 yrs	50.22	51.23	52.25
Senior 60-79 yrs	40.14	40.94	41.76
Senior 80 & up	FREE		
Family	98.48	98.48	98.48

12-Month Pass			
Type	**2018/19**	**2019/20**	**2020/21**
Child 0-3 yrs	FREE		
Child 3-12 yrs	N/A		
Youth 13-18 yrs	388.82	396.60	404.53
Adult 19-59 yrs	487.49	497.24	507.19
Senior 60-79 yrs	388.82	396.60	404.53
Senior 80 & up	FREE		
Family	955.87	955.87	955.87

Previously Reviewed

TOPIC:	**Fees & Charges – Department: Parks, Recreation & Culture**
POLICY No:	**05-1810-E**
APPROVED BY:	**Council**
ORIGINAL DATE:	**October 7, 2002**
AMENDMENT DATE(S):	**August 18, 2020**

Criteria to Use When Considering Grant Requests
1 (low) through 5 (high)

- Indirect benefit to residents of the community
  i.e. Youth Event. Proactive approach to policing / social services
  Event designed to encourage positive behaviour amongst youth.

- Socially worthwhile
  i.e. Contributes to sense of community

- Immediate economic impact within the community

- Long term economic impact / exposure to the community

- Contributes to the quality of life experience for all residents

* Minimum score of 15 to be advanced for resolution.

FEES AND CHARGES POLICY

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

Fees and charges policy development, implementation and evaluation is a dynamic process. Regular policy review and adjustment will occur to ensure that the policy addresses current community needs. Fees and charges will be reviewed annually and any pricing adjustments will be effective September1st.

Previously Reviewed

A. PRE-REGISTERED PROGRAMS

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

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

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

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

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

Target margin:

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

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

Previously Reviewed

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

- Program fees charged by other agencies and municipalities for similar services.
- Grants: If the Department is successful in obtaining provincial or federal grant funding or funding from corporate sponsors, the standard program fees may be decreased in order to encourage greater participation, e.g. summer playgrounds, community special events, special interest programs, etc.
- Developmental Programs: May not initially recover costs but are continued at a loss in order to encourage and promote interest. It is expected however, that over a period of time, these programs will break even.
- "Loss Leader" or "Service" programs are programs which provide service to patrons of other functions within the operation. These "Loss Leaders" are considered necessary for the success of other "profitable" operations within the facility, e.g. child minding, free introductory sessions, etc.

B. GENERAL ADMISSION PROGRAMS

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

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

In consideration of the above, and within the principles and rationale of the Fees and Charges policy, the following General Admission pricing policy will apply.
User Classifications:

Adult	19 years of age and older
Senior Citizens	60 years of age and older
Youth	13 years of age to 18 years
Child	3 years of age to 12 years
Tot	0 to 36 months of age

Previously Reviewed

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

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

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

Degree of Subsidy:

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

0%	Adult	
25%	Seniors	→
50%	Children	
25%	Students	
100%	Pre-school	
	Families	The rate equal to 2 adults

Free General Admission access to any member of the community who is 80 years or older.

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

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

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

Previously Reviewed

C. FACILITY RENTALS

Principles:

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

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

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

User Categories:

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

Previously Reviewed

Degree of Subsidy:

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

	Users	Percentage of Subsidy
1	Town	100
2	Registered non-profit volunteer community leisure groups/service clubs	50
3	Private, Religious, Political, Government	0
4	Registered non-profit youth swim club	15
5	Commercial/Business	(20)

The above subsidies apply to the rental fees only of general purpose program spaces within the Department's Community Recreation Facilities. Additional direct costs such as materials, custodial services, etc., will be borne 100% by the renter. Reductions in fees may be made for groups and low priority times to facilitate maximum use of facilities in conjunction with other section managers.

Requests for Waiving of Fees:

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

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

Previously Reviewed

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

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

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

Previously Reviewed

BYLAW STATUS SHEET
September 7, 2021

		Status
2060	Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 63) 2021, No. 2060 (670 Farrell Road)	First and second reading, March 16, 2021. Public Hearing, and third reading April 6, 2021.
2061	Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 33) 2021, No. 2061 (670 Farrell Road)	First and second reading, March 16, 2021. Public Hearing and third reading April 6, 2021. MOTI approval received May 3, 2021.
2064	Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 35) 2021, No. 2064 (630 Farrell Rd)	First and second reading, April 20, 2021. Public Hearing and third reading May 18, 2021. MOTI received June 8, 2021.
2067	Road Closure and Dedication Removal Bylaw 2021, No. 2067 (1130 Rocky Creek Rd)	First and second reading, June 1, 2021. Notice provided and published in Chronicle on June 3 and 10, 2021. Public Hearing and third reading June 15, 2021. MOTI approval received July 27, 2021.
2068	Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 65) 2021, No. 2068 (1130 Rocky Creek Rd)	First and second reading, June 1, 2021. Public Hearing and third reading June 15, 2021. Conditions to be met prior to adoption.
2069	Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 37) 2021, No. 2069 (1130 Rocky Creek Rd)	First and second reading, June 1, 2021. Public Hearing and third reading June 15, 2021. MOTI approval received July 27, 2021. Conditions to be met prior to adoption.