

**A PUBLIC HEARING AND SPECIAL MEETING  
OF THE TOWN OF LADYSMITH COUNCIL  
AGENDA  
6:00 P.M.**

**Tuesday, November 2, 2021**

**This meeting will be held electronically**

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**Pages**

**1. CALL TO ORDER AND ACKNOWLEDGEMENT**

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

**1.1. INFORMATION ON HOW TO VIEW / ATTEND THE MEETING**

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

[https://zoom.us/webinar/register/WN\\_omeAXw8mRV6diLMQymgMrQ](https://zoom.us/webinar/register/WN_omeAXw8mRV6diLMQymgMrQ)

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

For those unable to participate by electronic means, the meeting will be broadcast in the City Hall Council Chambers at 410 Esplanade. Participation will be managed electronically via Zoom, operated from Council Chambers. Masks are mandatory and seating is limited.

View the livestream on YouTube:

<https://www.youtube.com/channel/UCH3qHAExLiW8YrSuJk5R3uA/featured>.

**2. AGENDA APPROVAL**

Recommendation

That Council approve the agenda for this Public Hearing and Special Meeting of Council for November 2, 2021.

### 3. PUBLIC HEARING

- 3.1. "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 68) 2021, No. 2087" and "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 44) 2021, No. 2088"

**Subject Property:** 1260 Churchill Place (The West 1/2 of the South 1/2 of District Lot 97, Oyster District, Except Parts in Plans 24414, 26836, 27412 and VIP60630)

- 3.1.1. Outline of Public Hearing Process - Mayor Stone
- 3.1.2. Introduction of Bylaw and Statutory Requirements - Director, Development Services
- 3.1.3. Submissions 7
- 3.1.4. Call for Submissions to Council (Three Times) - Mayor Stone
- 3.1.5. Declaration that the Public Hearing for Bylaw Nos. 2087 and 2088 is Closed - Mayor Stone

### 4. BYLAWS- OFFICIAL COMMUNITY PLANNING AND ZONING

- 4.1. "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 68) 2021, No. 2087" 8

Recommendation

That, subject to any additional matters raised at the Public Hearing, Council give third reading to "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 68) 2021, No. 2087".

- 4.2. "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 44) 2021, No. 2088" 10

Recommendation

That, subject to any additional matters raised at the Public Hearing, Council:

1. Give third reading to "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 44) 2021, No. 2088"; and
2. Direct staff to refer Bylaw No. 2088 to the Ministry of Transportation and Infrastructure pursuant to section 52 of the *Transportation Act*.

**5. RISE AND REPORT- Items from Closed Session**

**Items from the Closed Meeting of Council held October 19, 2021**

**CE 2021-125**

That Council:

1. Receive the Fire Department Excellence Review dated September 3, 2021, conducted by Genesis 20/20 Solutions Inc.; and
2. Rise with report on Recommendation No. 1 immediately.

**6. MINUTES**

**6.1. Minutes of the Regular Meeting of Council held October 19, 2021 12**

Recommendation

That Council approve the minutes of the Regular Meeting of Council held October 19, 2021.

**7. PROCLAMATIONS**

**7.1. Louis Riel Day 20**

Mayor Stone has proclaimed November 16, 2021 as Louis Riel Day in the Town of Ladysmith.

**7.2. Complex Regional Pain Syndrome Awareness Month 21**

Mayor Stone has proclaimed the month of November as Complex Regional Pain Syndrome Awareness Month.

Recommendation

That Council approve the request from Jennifer Montesano to illuminate City Hall with orange lights November 8-15, 2021 in support of Complex Regional Pain Syndrome (CRPS) Awareness Month.

**8. ANNUAL APPOINTMENTS**

**8.1. Deputy Mayor**

**8.2. Parcel Tax Review Panel**

**8.3. Cowichan Valley Regional District Director**

A Council resolution is required for this appointment.

**8.4. Cowichan Valley Regional District Alternate Director**

A Council resolution is required for this appointment.

**8.5. Vancouver Island Regional Library Board Director**

A Council resolution is required for this appointment.

**8.6. Vancouver Island Regional Library Board Alternate Director**

A Council resolution is required for this appointment.

**8.7. Standing and Community Committee Representatives**

- Committee of the Whole
- Waterfront Implementation Committee
- Community Planning Advisory Committee
- Protective Services
- Parks, Recreation & Culture Advisory Committee
- Official Community Plan Steering Committee
- Arts & Heritage Hub Design Steering Committee
- Liquid Waste Management Plan
- Youth Advisory Committee
- Public Art Task Group
- Stocking Lake Advisory Committee
- Celebrations Committee (Ladysmith Days)
- Festival of Lights
- Chamber of Commerce
- Ladysmith Downtown Business Association
- Social Planning Cowichan
- Ladysmith Community Justice Program

**9. DEVELOPMENT APPLICATIONS**

- 9.1. Development Variance Permit Application for Renovation to Single Detached Dwelling at 110 5th Avenue** 23

Recommendation

That Council:

1. Issue Development Variance Permit 3090-21-11 to decrease the minimum setback from the rear parcel line from 4.5 metres to 0.7 metres at 110 5th Avenue; and
2. Authorize the Mayor and Corporate Officer to sign Development Variance Permit 3090-21-11.

**10. 2022 BUDGET WORKSHOP - PRELIMINARY OPERATING BUDGET**

- 10.1. 2022-2026 Preliminary Financial Plan Discussions**

- 10.2. Presentation and Council Discussion**

- 10.3. Public Input and Questions**

**11. REPORTS**

- 11.1. Animal Control Agreement – Coastal Animal Services** 30

Recommendation

That Council:

1. Waive “Purchasing Policy 5-1790-D” and enter into a three year agreement with Coastal Animal Control Services of BC Ltd. for an average annual cost of \$48,500; and
2. Direct staff to prepare an amendment to section 4 of the “Dog Licensing, Control and Pound Bylaw 1995, No. 1155” to increase each of the fees listed for dog licenses by five dollars.

**12. BYLAWS**

- 12.1. Bylaw Status Sheet** 39

## 13. CORRESPONDENCE

### 13.1. Association of Vancouver Island Coastal Communities (AVICC) 2022 Convention Resolutions and Executive Committee Nominations

40

#### Recommendation

That Council receive for information the correspondence dated October 19, 2021 from the Association of Vancouver Island and Coastal Communities regarding nominations to the AVICC Executive Committee and proposals for presentations.

## 14. NEW BUSINESS

## 15. QUESTION PERIOD

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

## 16. ADJOURNMENT

Received October 25, 2021

Within Circulation Area

Dear Town of Ladysmith,

We wish to submit the following in response to the subject hearing:

- 1) We have grave concerns regarding the slope stability on the subject property. The slope gradient at the rear of 1260 – Churchill Place is very high angle from top-of-bank to Rocky Creek and any disturbance would likely create soil creep stress for very large trees, both those on the subject property and those which border our property. Further, murky runoff would likely seriously disturb and pollute the creek itself.
- 2) There is currently no multi-family housing along either McKinley Road nor Churchill Place, with a boulevard barrier between Churchill Place and the trailer park lots of Alderwood Road. The densification proposed would materially affect the character of the neighbourhood and increase traffic in a posted 20km/hour speed zone of McKinley Road.
- 3) There has been a great effort to create a substantial retaining wall along our property line between us (1275) and those properties along McKinley Road (1277, 1283,1289), along with removal of significant amounts of fill. If such effort were undertaken in the development of 1260 – Churchill Place, it would substantially affect the undisturbed native banks of Rocky Creek as well as negatively alter the character of our property.

In summary, we do not believe inclusion of multi-family development would be the best interests of this neighbourhood. We would submit any development along Churchill Place should be restricted to single family and only top-of-bank.

We trust you will respectfully consider the above comments and concerns in your deliberations.

Sincerely,

F.W. (Wilf) Haas  
J.C.A. (Jean) Haas  
1275 – McKinley Road  
Ladysmith

**TOWN OF LADYSMITH**

**BYLAW NO. 2087**

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

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The Council of the Town of Ladysmith in open meeting assembled enacts the following amendments to "Official Community Plan Bylaw 2003, No. 1488":

1. Map 1 – Land Use: Is amended to change the Land Use Designation for of the eastern portion of The West 1/2 of the South 1/2 Of District Lot 97, Oyster District, Except Parts in Plans 24414, 26836, 27412 And VIP60630 (1260 Churchill Place) from Single Family Residential to Multi-family Residential and Parks and Open Spaces as shown on Schedule A attached to and forming a part of this bylaw.
2. Map 2 Development Permit Areas: Is amended to apply the Multi-Unit Residential Development Permit Area to the portion of The West 1/2 of the South 1/2 Of District Lot 97, Oyster District, Except Parts in Plans 24414, 26836, 27412 And VIP60630 (1260 Churchill Place) to be designated Multi-family Residential as noted in section 1 and shown on Schedule A attached to and forming a part of this bylaw.

**Citation**

3. This Bylaw may be cited for all purposes as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 68) 2021, No. 2087".

**READ A FIRST TIME** on the 5<sup>th</sup> day of October, 2021

**READ A SECOND TIME** on the 5<sup>th</sup> day of October, 2021

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

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

**ADOPTED** on the day of ,

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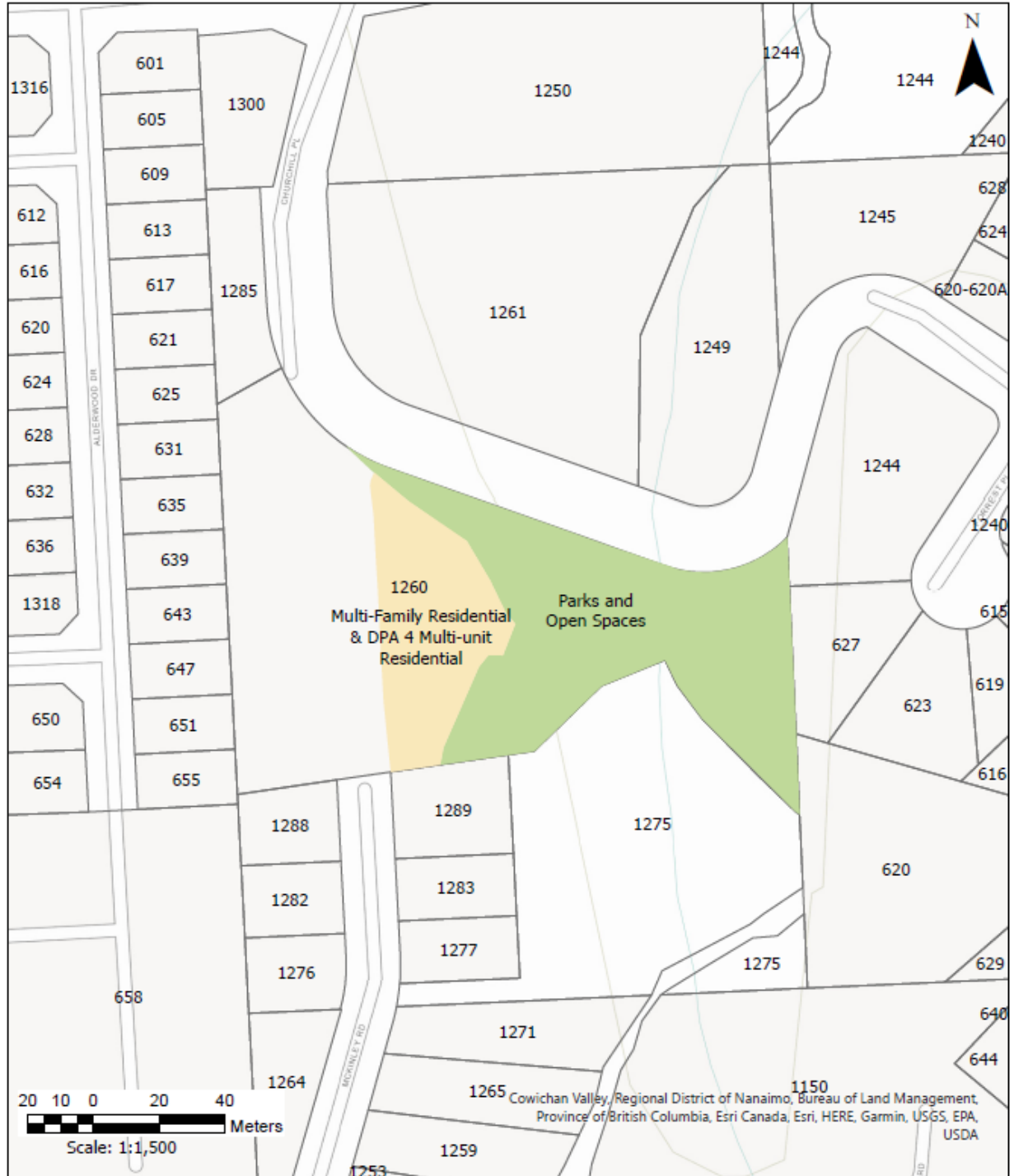
Mayor (A. Stone)

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Corporate Officer (D. Smith)



### Schedule A



**TOWN OF LADYSMITH**

**BYLAW NO. 2088**

**A Bylaw to amend “Town of Ladysmith Zoning Bylaw 2014, No. 1860”**

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The Council of the Town of Ladysmith in open meeting assembled enacts the following amendments to “Town of Ladysmith Zoning Bylaw 2014, No. 1860”:

1. Schedule B – Zoning Bylaw Map is amended to change the zoning for The West 1/2 of the South 1/2 Of District Lot 97, Oyster District, Except Parts in Plans 24414, 26836, 27412 And VIP60630 (1260 Churchill Place) from Single Dwelling Residential (R-1) to Single Dwelling Residential Small Lot C (R-1-C), Medium Density Residential (R-3) and Nature Park (P-3) as shown on Schedule A, attached to and forming a part of this bylaw.

**Citation**

2. This Bylaw may be cited for all purposes as “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 44) 2021, No. 2088”.

**READ A FIRST TIME** on the 5<sup>th</sup> day of October, 2021  
**READ A SECOND TIME** on the 5<sup>th</sup> day of October, 2021  
**PUBLIC HEARING** held pursuant to the provisions of the *Local Government Act*  
on the \_\_\_\_\_ day of \_\_\_\_\_,  
**READ A THIRD TIME** on the \_\_\_\_\_ day of \_\_\_\_\_,  
**APPROVED** by the Ministry of Transportation & Infrastructure  
on the \_\_\_\_\_ day of \_\_\_\_\_,  
**ADOPTED** on the \_\_\_\_\_ day of \_\_\_\_\_,

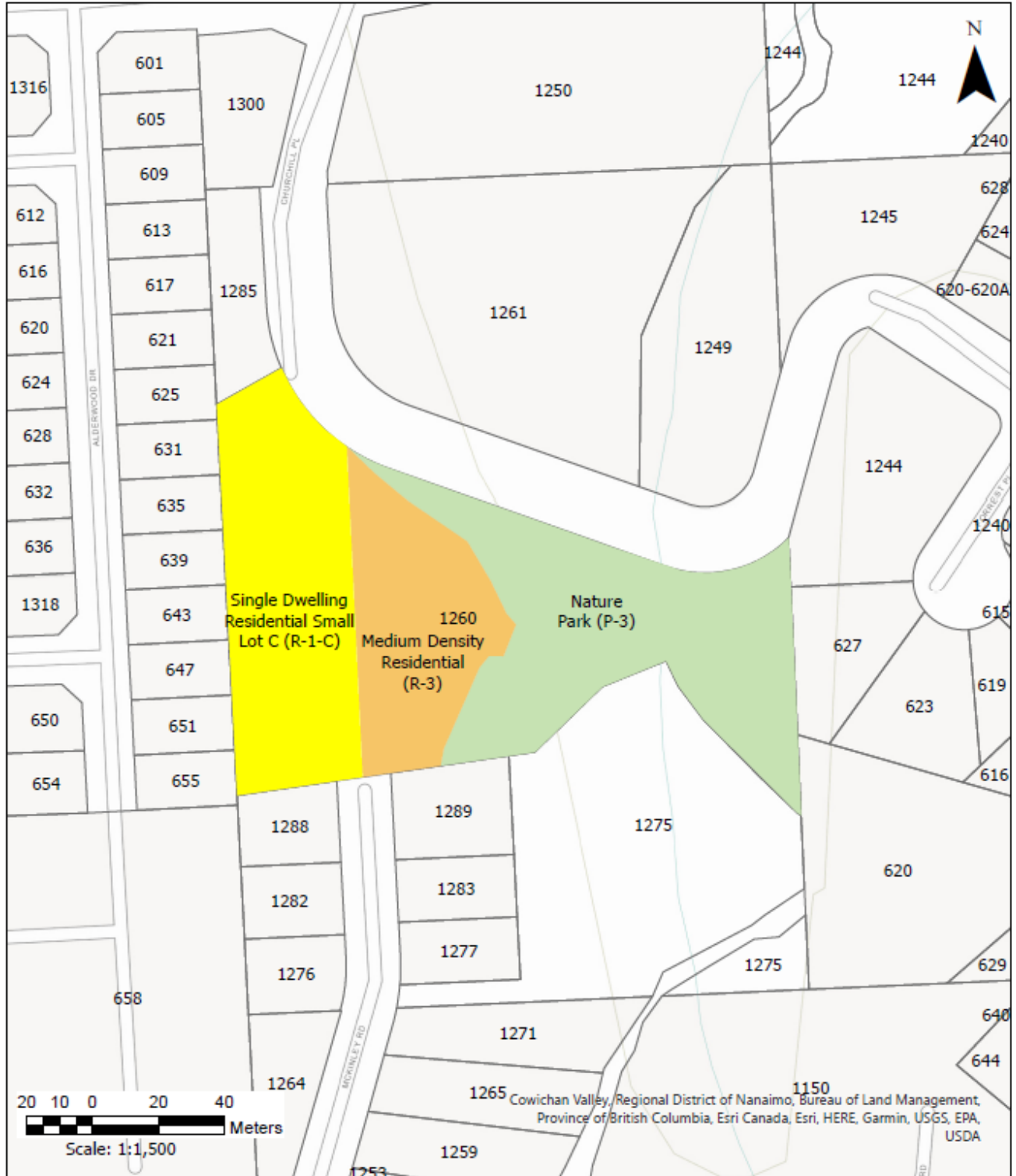
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Mayor (A. Stone)

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Corporate Officer (D. Smith)

### Schedule A





## MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, October 19, 2021

7:00 P.M.

City Hall Council Chambers  
410 Esplanade

### 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  
Chris Geiger

Donna Smith  
Ryan Bouma  
Christina Hovey  
Julie Thompson  
Sue Bouma

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### 1. CALL TO ORDER

Mayor Stone called this Regular Meeting of Council to order at 6:00 p.m., in order to retire immediately into Closed Session.

### 2. CLOSED SESSION

#### CS 2021-325

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:

- labour relations or other employee relations - section 90(1)(c); and
- negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public - section 90(1)(k).

*Motion Carried*

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

Mayor Stone called this Regular Meeting of Council to order at 7:07 p.m., recognizing with gratitude that it was taking place on the traditional unceded territory of the Stz'uminus First Nation.

**4. AGENDA APPROVAL**

**CS 2021-326**

That Council approve the agenda for this Regular Meeting of Council for October 19, 2021 as amended to include the following items received after publication of the agenda:

- Item 8.1., "Public Submissions regarding Development Variance Permit Application for 433 Thetis Drive"
- Item 14.1., "Maps of South Davis Intersection"
- Item 14.3., "Renoviction Bylaw Discussion"

*Motion Carried*

**5. RISE AND REPORT- Items from Previous Closed Session**

The following items from the Closed Meeting of Council held February 2, 2021 were reported:

**CE 2021-038**

That Council approve the "through road" configuration for 1260 Churchill Place, as outlined in Option A of the staff report dated February 2, 2021.

OPPOSED: Mayor Stone, Councillor Stevens

**CE 2021-039**

That Council approve an R-1-A and Multi-family lot layout for 1260 Churchill Place, as outlined in Option G of the staff report dated February 2, 2021.

**CE 2021-040**

That Council approve rezoning and/or preparing a Preliminary Layout Acceptance (PLA) for the subdivision and sale of 1260 Churchill Place, as a "turnkey project".

**CE 2021-041**

That Council direct staff to prepare a report for a future open Council meeting providing more detailed information on the preferred options identified by Council for road configuration, lot layout and the subdivision and sale of 1260 Churchill Place.

**6. MINUTES**

**6.1 Minutes of the Regular Meeting of Council held October 5, 2021**

**CS 2021-327**

That Council approve the minutes of the Regular Meeting of Council held October 5, 2021.

*Motion Carried*

**7. DELEGATIONS**

**7.1 Cowichan Housing Association 2021 Annual Report**

Dr. Shelley Cook, Executive Director of Cowichan Housing Association, reviewed the Association's programs and financials and discussed the current housing crisis and challenges, as well as emerging issues. She reviewed recommendations going forward, such as acquiring land suitable for affordable housing, supporting a region-wide workforce housing strategy and implementation, relaxing bylaw enforcement on non-standard housing, and developing vacation rental business licencing. She responded to Council's questions.

Council thanked Dr. Cook for her presentation.

**CS 2021-328**

By unanimous consent, Council received for information the Cowichan Housing Association 2021 Annual Report.

*Motion Carried*

**8. DEVELOPMENT APPLICATIONS**

**8.1 Development Variance Permit & Development Permit Application for a Single Detached Dwelling at 433 Thetis Drive**

**CS 2021-329**

That Council:

1. Issue Development Variance Permit 3090-21-10 to increase the maximum permitted height for a single unit dwelling at 433 Thetis Drive;
2. Issue Development Permit 3060-21-12 for land alteration and construction of a single unit dwelling at 433 Thetis Drive; and
3. Authorize the Mayor and Corporate Officer to sign Development Variance Permit 3090-21-10.

*Motion Carried*

**9. BYLAWS- OFFICIAL COMMUNITY PLANNING AND ZONING**

**9.1 Zoning Bylaw Amendment Application – 431 1st Avenue**

**CS 2021-330**

That Council:

1. Give first and second readings to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 45) 2021, No. 2091”; and
2. Direct staff to proceed with scheduling and notification for a Public Hearing for Bylaw No. 2091 as required under section 464(1) of the *Local Government Act*.

*Motion Carried*

**10. COMMITTEE MINUTES**

**10.1 Official Community Plan Steering Committee - September 23, 2021**

**CS 2021-331**

That Council receive for information the minutes of the Official Community Plan Steering Committee meeting held September 23, 2021.

*Motion Carried*

## **10.2 Community Planning Advisory Committee - October 6, 2021**

### **CS 2021-332**

That Council receive for information the minutes of the October 6, 2021 meeting of the Community Planning Advisory Committee.

*Motion Carried*

## **11. REPORTS**

### **11.1 Re-Prioritization of 2021 Water Projects**

#### **CS 2021-333**

That Council:

1. Defer the Oyster Bay watermain construction project from the 2021 Capital Plan to the 2022 Capital Plan and re-budget accordingly;
2. Move the Kitchener Street watermain replacement project from the 2022 Capital Plan into the 2021 Capital Plan at a cost of \$165,000 with the funds to come from the Oyster Bay watermain project;
3. Add the replacement of the Parkhill Terrace watermain from Neville Street to the end of the street, to the 2021 Capital Plan at an estimated cost of \$100,000, with funds coming from the Water Reserve; and
4. Amend the 2021 to 2025 Financial Plan accordingly.

*Motion Carried*

### **11.2 Yard Waste Pilot Program – Fall 2021**

#### **CS 2021-334**

That Council approve two additional yard waste curbside collection days per route in the fall of 2021, using funding remaining from the 2021 Yard Waste Pilot Program budget.

*Motion Carried*

## **12. BYLAWS**

### **12.1 Amendments to “Council Procedure Bylaw 2009, No. 1666”**

#### **CS 2021-335**

That Council give first, second and third readings to “Council Procedure Bylaw 2009, No. 1666, Amendment Bylaw (#4) 2021, No. 2092”.

*Motion Carried*



**12.2 "Town of Ladysmith 2022 Permissive Tax Exemptions Bylaw 2021, No. 2084"**

**CS 2021-336**

That Council adopt "Town of Ladysmith 2022 Permissive Tax Exemptions Bylaw 2021, No. 2084".

*Motion Carried*

**12.3 Bylaw Status Sheet**

**13. CORRESPONDENCE**

**13.1 F.O.E. 2101 Ladysmith Eagles Aerie and Auxiliary**

**CS 2021-337**

That Council:

1. Accept with gratitude the donation of \$50,000 from the Ladysmith Eagles F.O.E. Aerie and Auxiliary for electronic scoreboards at Aggie Field, Holland Creek Field and Forrest Field subject to the following conditions, as outlined in the correspondence received October 12, 2021 from Aerie President Larry Williams:
  - the installation of dedication signs acknowledging the Eagles donation; and
  - the publication of a joint press release announcing the donation and an additional press release upon completion of the project;
2. Direct staff to order and install the scoreboards; and
3. Direct the Mayor, on behalf of Council, to send a letter thanking the Eagles for their generous donation.

*Motion Carried*

**14. NEW BUSINESS**

**14.1 South Davis Road Intersection Changes**

**CS 2021-338**

That the Mayor on behalf of Council, send a letter to the Honourable Rob Fleming, Minister of Transportation and Infrastructure and to Doug Routley, MLA, Nanaimo-North Cowichan, expressing the Town's concerns regarding the Ministry's proposed "improvements" to the South Davis Road intersection and requesting a follow up meeting with the Minister and Ministry staff.

**CS 2021-339**

**AMENDMENT**

That resolution CS 2021-338 be amended to add the following:

"...with copies sent to the Honourable George Heyman, Minister of Environment and Climate Change Strategy, the Honourable Ravi Kahlon, Minister of Jobs, Economic Recovery and Innovation, and the Honourable David Eby, Attorney General and Minister Responsible for Housing."

*Amendment Carried*

**Resolution CS 2021-338, as amended, reads:**

That the Mayor send a letter to the Honourable Rob Fleming, Minister of Transportation and Infrastructure and to Doug Routley, MLA, Nanaimo-North Cowichan, with copies sent to the Honourable George Heyman, Minister of Environment and Climate Change Strategy, the Honourable Ravi Kahlon, Minister of Jobs, Economic Recovery and Innovation, and the Honourable David Eby, Attorney General and Minister Responsible for Housing, expressing the Town's concerns regarding the Ministry's proposed "improvements" to the South Davis Road intersection and requesting a follow up meeting with the Minister and Ministry staff.

*Main Motion, as Amended, Carried*

**14.2 FireSmart Community Funding and Supports Grant 2022**

**CS 2021-340**

That Council authorize the Cowichan Valley Regional District on behalf of the Town of Ladysmith, to apply for a FireSmart Community Funding and Supports grant up to \$325,000, and, if successful, receive the funds and manage the program.

*Motion Carried*

**14.3 "Renoviction" Bylaw**

**CS 2021-341**

That Council direct staff to prepare a "renoviction" bylaw for Council consideration.

*Motion Carried*

**15. QUESTION PERIOD**

A member of the public expressed concern regarding the South Davis Road intersection changes. Another member of the public asked whether the Town planned to implement a COVID-19 vaccination mandate for staff.

**16. ADJOURNMENT**

**CS 2021-342**

That this Regular Meeting of Council adjourn at 8:47 p.m.

*Motion Carried*

CERTIFIED CORRECT:

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Mayor (A. Stone)

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Corporate Officer (D. Smith)



TOWN OF LADYSMITH

## PROCLAMATION

### LOUIS RIEL DAY

- WHEREAS:** *The Metis people are recognized as one of Canada's aboriginal peoples; and*
- WHEREAS:** *the Metis culture, rich in spiritual beliefs and colourful traditions, is an integral part of British Columbia's multicultural character; and*
- WHEREAS:** *throughout history, Metis citizens have made significant contributions to the development and success of our province; and*
- WHEREAS:** *Louis Riel has made an enormous contribution towards the development of this country; and*
- WHEREAS:** *British Columbia recognizes "Louis Riel Day", November 16<sup>th</sup> as a national Metis holiday in commemoration of the 136<sup>th</sup> anniversary of the death of Louis Riel.*
- THEREFORE,** *I, Aaron Stone, Mayor of the Town of Ladysmith, do hereby proclaim November 16, 2021 as "Louis Riel Day" in the Town of Ladysmith, British Columbia.*

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**Mayor A. Stone**

November 1, 2021



TOWN OF LADYSMITH

## PROCLAMATION

### COMPLEX REGIONAL PAIN SYNDROME (CRPS) AWARENESS MONTH

**WHEREAS:** *Complex Regional Pain Syndrome (CRPS), also known as Reflex Sympathetic Dystrophy (RSD), is a debilitating nerve condition characterized by continuous, intense burning pain that is out of proportion with the severity of the original injury and for which there is no cure, and which ranks as the most painful condition on the McGill Pain Scale; and*

**WHEREAS:** *Although CRPS was first identified in the 1800s, it remains a poorly understood condition and hard to diagnose; and*

**WHEREAS:** *November has been chosen as the month to spread awareness about this debilitating nerve condition that can cause swelling and extreme sensitivity to touch.*

**THEREFORE,** *I, Aaron Stone, Mayor of the Town of Ladysmith, do hereby proclaim November 2021 as “CRPS Awareness Month” in the Town of Ladysmith, British Columbia.*

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**Mayor A. Stone**

November 1, 2021

**Sent:** October 26, 2021 11:13 AM

**To:** Council <[towncouncil@ladysmith.ca](mailto:towncouncil@ladysmith.ca)>; Town of Ladysmith <[info@ladysmith.ca](mailto:info@ladysmith.ca)>

**Subject:** CRPS Awareness Proclamation and Colour the World Orange Light Up

Dear Council of the City of Ladysmith,

Hello, I am writing in hopes of getting a Proclamation of the City for the month of November for **Complex Regional Pain Syndrome** CRPS/RSD Awareness? Is this possible? I have attached the information and am raising CRPS Awareness, I hope you will help. Do you know if we can light up some of the lights, orange in Ladysmith, for Colour the World Orange Day for CRPS Awareness November 1st, 2021? Please, kindly, get back to me I hope you can help. Thank you for taking the time to read the information.

Thank you,  
Jennifer Montesano

## STAFF REPORT TO COUNCIL

**Report Prepared By:** Christina Hovey, RPP, MCIP  
**Reviewed By:** Jake Belobaba, RPP, MCIP, Director of Development Services  
**Meeting Date:** November 2, 2021  
**File No:** DVP 3090-21-11  
**Re:** **Development Variance Permit Application for Renovation to Single Detached Dwelling at 110 5th Avenue**

**RECOMMENDATION:**

That Council:

1. Issue Development Variance Permit 3090-21-11 to decrease the minimum setback from the rear parcel line from 4.5 metres to 0.7 metres at 110 5<sup>th</sup> Avenue; and
2. Authorize the Mayor and Corporate Officer to sign Development Variance Permit 3090-21-11.

Figure 1: Subject Property: 110 5th Ave

**EXECUTIVE SUMMARY:**

The existing single detached dwelling located at 110 5<sup>th</sup> Avenue is proposed to be renovated (lifted) to create a second storey. The existing dwelling is closer than is permitted to the rear setback. Staff recommend that the variance be approved since the impact on the neighbouring properties is expected to be minimal.

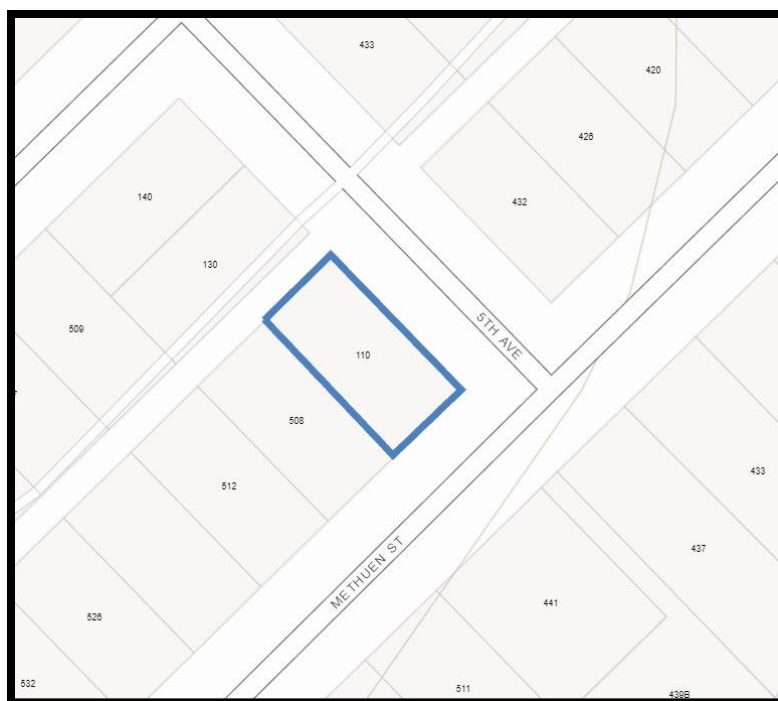
**PREVIOUS COUNCIL DIRECTION:**

N/A

**INTRODUCTION/BACKGROUND:**

The subject property, 110 5<sup>th</sup> Avenue, is located at the intersection of 5<sup>th</sup> Avenue and Methuen Street, the property is 669m<sup>2</sup> in size and contains an existing single detached dwelling.

In June 2021 the applicant began to lift the existing dwelling without first applying for a Building



Permit. Town staff instructed the applicant to stop construction and to apply for a Development Variance Permit (DVP) and Building Permit. The applicant has complied with these instructions and will not be able to resume construction until/unless the necessary permits are issued.

**ANALYSIS:**

The subject property is within the Single Family Residential designation of “Official Community Plan Bylaw 2003, No. 1488” and the Old Town Residential (R-2) zone in “Town of Ladysmith Zoning Bylaw 2014, No. 1860”. The proposed use of the property is consistent with the OCP and the Zoning Bylaw. The home does not comply with the Zoning Bylaw requirement for the setback from the rear parcel line. Adding a second storey increases the mass of the building within the setback area, and therefore increases the degree to which the home does not comply with the Zoning Bylaw, so a DVP is required to authorize the proposal.

The existing dwelling is closer than is permitted to the rear setback. The requested DVP would reduce the required setback from the rear parcel line from 4.5m to 0.7m. Although the home could be moved, this would add significant cost to the renovation and would require reorienting the house towards Methuen Street to be able to meet all setbacks.<sup>1</sup>

The proposed construction is an investment in the Old Town neighbourhood. Since the house is oriented towards 5<sup>th</sup> Avenue and is a corner parcel, the rear setback is adjacent to the neighbour’s side yard, reducing the impact of this variance on the neighbour. Staff recommend that the proposed variance be approved since the impact on adjacent properties is expected to be minimal.

**ALTERNATIVES:**

1. Deny Development Variance Permit 3090-21-11.
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, excluding regulations of use, density and residential tenure, through issuance of a DVP.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

Notice of the proposed variance was issued on October 22, 2021 in accordance with section 499 of the *Local Government Act* and “Town of Ladysmith Development Procedures Bylaw 2008, No. 1667”. The notice was delivered and mailed to residents and property owners within 60m of the subject property. Any correspondence received will be provided to Council.

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<sup>1</sup> If the house were moved towards 5<sup>th</sup> Avenue, it would encroach into the front yard setback.



**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

This application was referred to the Engineering and Building Inspection departments. No concerns were noted.

**ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:**

- |  |  |
|--|--|
| <input type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings             | <input type="checkbox"/> Multi-Use Landscapes      |
| <input type="checkbox"/> Innovative Infrastructure   | <input type="checkbox"/> Local Food Systems        |
| <input type="checkbox"/> Healthy Community           | <input type="checkbox"/> Local, Diverse Economy    |
| <input checked="" type="checkbox"/> Not Applicable   |  |

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

- |   |  |
|---|--|
| <input type="checkbox"/> Infrastructure | <input type="checkbox"/> Economy                   |
| <input type="checkbox"/> Community      | <input checked="" type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Waterfront     |  |

*I approve the report and recommendation(s).*

**Allison McCarrick, Chief Administrative Officer**

**ATTACHMENT:**

- A. DVP 3090-21-11



# TOWN OF LADYSMITH DEVELOPMENT VARIANCE PERMIT

(Section 498 *Local Government Act*)

FILE NO: 3090-21-11

DATE: November 2, 2021

---

Name of Owner(s) of Land (Permittee): David Wayne Lockington and Lianne Catherine Lockington

Applicant: David Lockington

Subject Property (Civic Address): 110 5<sup>th</sup> Avenue

---

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 B, Block 120, District Lot 56, Oyster District, Plan 32344  
PID: 000-103-586 (110 5<sup>th</sup> Avenue)**
3. Section 10.6.5(d) "Siting, Sizing and Dimension of Uses, Buildings and Structures" of the "Old Town Residential (R-2)" zone of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied for the subject property by reducing the minimum *Setback* from the *Rear Parcel Line* from 4.5 metres to 0.7 metres to allow for addition of a second storey on an existing single detached dwelling.
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**
  - b) **Schedule B – Conceptual Renderings**
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.

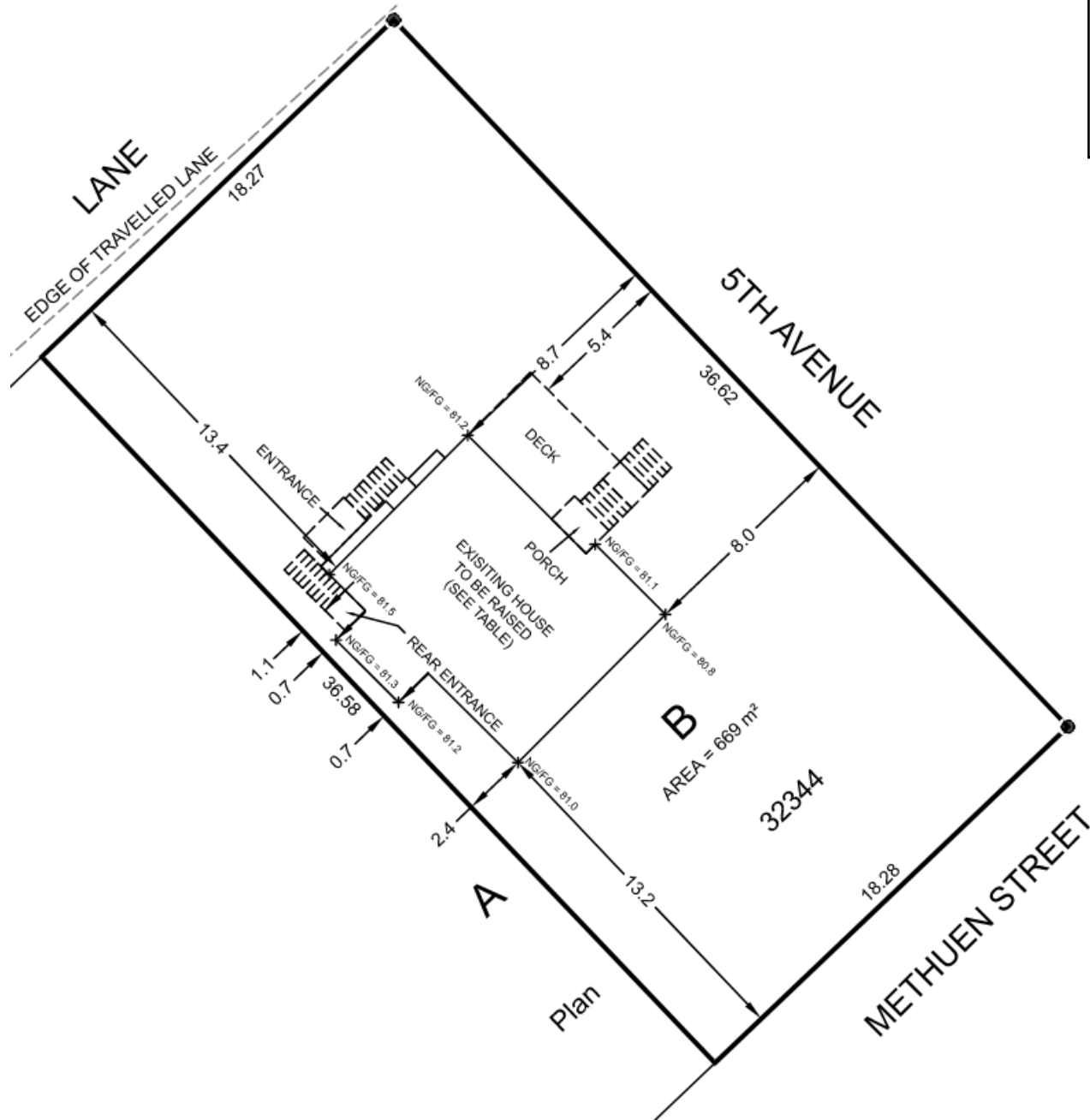
7. Despite issuance of this permit, construction may not start without a Building Permit or other necessary permits. THIS PERMIT IS NOT A BUILDING PERMIT. No occupancy permit shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Corporate Officer.

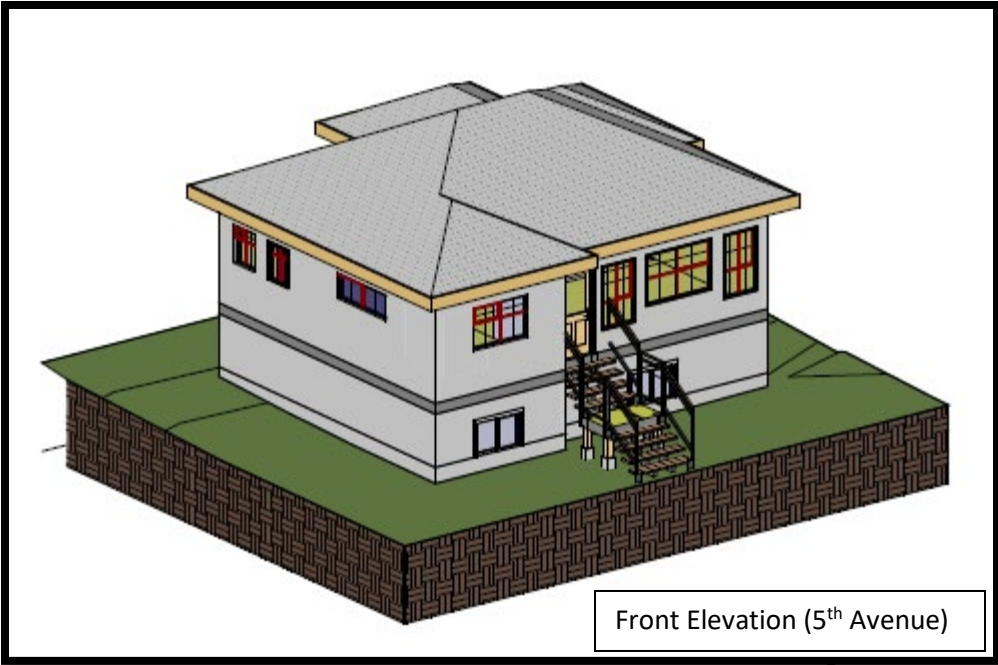
AUTHORIZED BY RESOLUTION NO. \_\_\_\_\_ PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH ON THE \_\_\_\_ DAY OF \_\_\_\_\_ 2021.

\_\_\_\_\_  
Mayor (A. Stone)

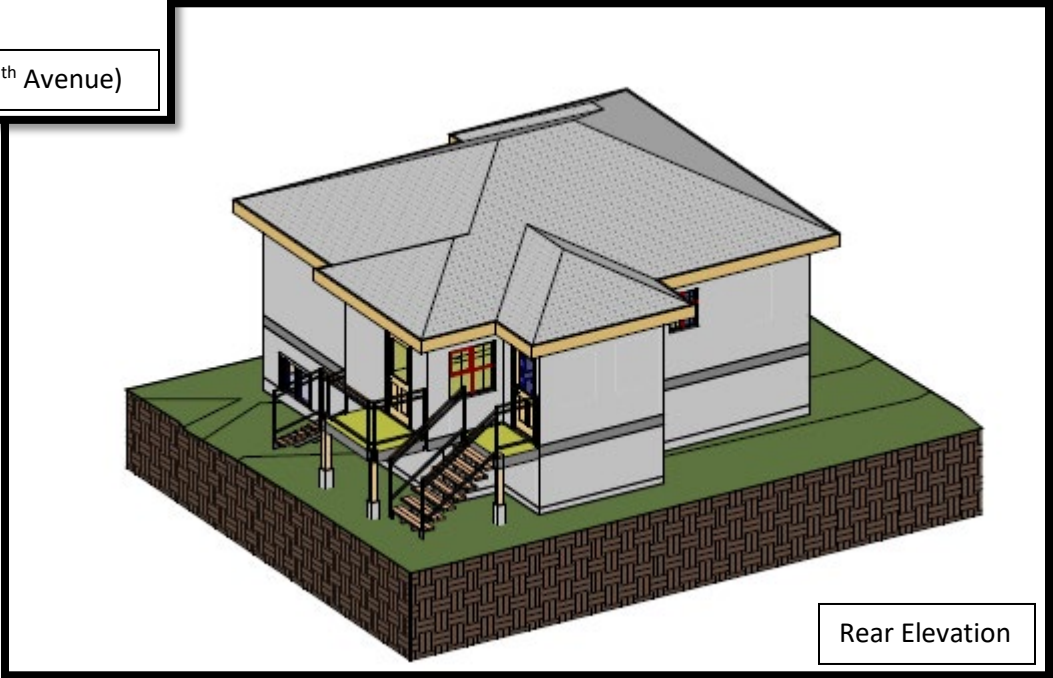
\_\_\_\_\_  
Corporate Officer (D. Smith)

DRAFT





Front Elevation (5<sup>th</sup> Avenue)



Rear Elevation

**STAFF REPORT TO COUNCIL**

**Report Prepared By:** Donna Smith, Manager of Corporate Services  
**Reviewed By:** Allison McCarrick, CAO  
**Meeting Date:** November 2, 2021  
**File No:**  
**Re:** **Animal Control Agreement – Coastal Animal Services**

**RECOMMENDATION:**

That Council:

1. Waive “Purchasing Policy 5-1790-D” and enter into a three year agreement with Coastal Animal Control Services of BC Ltd. for an average annual cost of \$48,500; and
2. Direct staff to prepare an amendment to section 4 of the “Dog Licensing, Control and Pound Bylaw 1995, No. 1155” to increase each of the fees listed for dog licenses by five dollars.

**EXECUTIVE SUMMARY:**

Staff are requesting Council’s authorization to enter into a three year agreement with Coastal Animal Control Services Inc. (Coastal) for the provision of animal control services on behalf of the Town. Due to limited options for animal control service providers, staff are requesting that Council waive “Purchasing Policy 5-1790-D” and approve the agreement without sending out a Request for Proposals due to the extremely limited options for this service in the region. The new agreement includes a substantial cost increase over previous years, so in order to offset a portion of this increase, staff are requesting Council’s authorization to prepare an amendment to “Dog Licensing, Control and Pound Bylaw 1995, No. 1155” to increase each of the fees listed for dog licenses by five dollars (\$5).

**PREVIOUS COUNCIL DIRECTION:**

| Resolution  | Meeting Date | Resolution Details   |
|-------------|--------------|--|
| CS 2018-089 | 03/19/2018   | That Council:<br>2. Appoint Coastal Animal Services to provide Animal Control Officer services in the Town of Ladysmith. |



**INTRODUCTION/BACKGROUND:**

Since 2004, the Town has held an agreement with Coastal for regulating the licensing, control and impoundment of dogs. Other municipalities in the region also contract with Coastal as there are extremely limited options for animal control service providers in our region (Nanaimo Animal Control is the only other option and they did not submit a proposal last time an RFQ was sent out).

The current agreement expires December 31, 2021. Staff contacted Coastal requesting a budgetary figure and they advised that over the past 18 years the costs associated with recruiting and training experienced animal control officers and rising costs affecting all facets of administration, accounting and general operating costs have risen disproportionately to the CPI and previous contract amounts. Their proposal includes the following price increases, beginning January 1, 2022:

| <b>Term</b> | <b>Monthly Cost</b> | <b>Annual Cost</b> |
|-------------|---------------------|--------------------|
| 2022        | \$3,916.67          | \$47,000           |
| 2023        | \$4,041.67          | \$48,500           |
| 2024        | \$4,166.67          | \$50,000           |

The current agreement charged \$36,414 for 2021. This new 3 year agreement proposes an average fee of \$48,500 annually.

Under Bylaw No. 1155, the existing license fee is \$44 for unaltered dogs and \$26 for spayed or neutered dogs if paid before January 31. To date, the Town has received \$24,903 in dog license revenue for 2021.

Coastal also requested the following new wording be added:

|      | <b>Coastal's request</b>   | <b>Staff comment</b>   |
|------|--|--|
| 3.4  | Reimburse printing costs associated with Animal Control notices and forms as needed    | <ul style="list-style-type: none"><li>• Approximately \$1,220 for term of contract.</li></ul>  |
| 3.5  | Reimburse veterinary costs incurred while performing duties on behalf of the Town.     | <ul style="list-style-type: none"><li>• Rare occurrence - no veterinary costs were incurred in 2020/21.</li></ul>  |
| 3.6  | Reimburse emergency response after hours at a rate of \$90/hour.                       | <ul style="list-style-type: none"><li>• Occurs only if the dog owner cannot be located.</li><li>• One emergency response during 2020/21 and fee was recovered from dog owner.</li></ul>  |
| 5(h) | Remove wording regarding door-to-door promotion campaigns due to the costs associated. | <ul style="list-style-type: none"><li>• Reflects current practice over the past several years. Coastal is proactive in enforcing the dog license provisions of the bylaw and the Town also promotes licensing on its social media platforms.</li></ul> |

The draft agreement noting these changes is included as Attachment A.

**ALTERNATIVES:**

Council can choose to:

1. Direct staff to issue a Request for Quotations for the provision of Animal Control services. The risk is that the formal bidding could result in a higher fee with only one service provider bidding. Dog tags are often sold starting December 1<sup>st</sup> so a new rate based on the quotations would not be in place prior to a December sale.
2. Execute the agreement and offset the cost increase with prior year surplus funds. This option only delays the increase to a future year.
3. Direct staff to increase the cost of the dog licenses by \$10 to remain consistent in the amount of taxpayer subsidy of the contractor's fee.

**FINANCIAL IMPLICATIONS:**

Dog licensing fees account for approximately 70% of the current contractor costs; the remainder is offset by taxation. If Council approves a \$5 fee increase, the fees will recover approximately 62% of the contractor costs over the 3-year term of the agreement.

**LEGAL IMPLICATIONS:**

N/A

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

Residents will continue to have animal control services provided by the same company as in previous years.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

N/A

**ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:**

- |  |  |
|--|--|
| <input type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings             | <input type="checkbox"/> Multi-Use Landscapes      |
| <input type="checkbox"/> Innovative Infrastructure   | <input type="checkbox"/> Local Food Systems        |
| <input type="checkbox"/> Healthy Community           | <input type="checkbox"/> Local, Diverse Economy    |
| <input checked="" type="checkbox"/> Not Applicable   |  |

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

- |   |  |
|---|--|
| <input type="checkbox"/> Infrastructure | <input type="checkbox"/> Economy                   |
| <input type="checkbox"/> Community      | <input checked="" type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Waterfront     |  |

***I approve the report and recommendations.***

**Allison McCarrick, Chief Administrative Officer**



**ATTACHMENT:**

- A. Draft Animal Control Agreement

# TOWN OF LADYSMITH ANIMAL CONTROL AGREEMENT

Dated January 1, ~~2019~~2022

BETWEEN: Town of Ladysmith  
PO Box 220, 410 Esplanade  
Ladysmith, BC V9G 1A2

(hereinafter called the “Town”)

AND: Coastal Animal Control Services of BC Ltd.  
2202 Herd Road  
Duncan, BC V9L 6A6

(hereinafter called the “Animal Shelter”)

## 1. Definitions

In this agreement, the following words have the following meanings:

*Dog Licensing, Control and Pound Bylaw* means Town of Ladysmith “Dog Licencing, Control and Pound Bylaw, 1995 No. 1155”, as amended, or any successor legislation thereto;

*Animal Control Officers* means those individuals appointed from time to time to enforce the provisions of the Dog Licensing, Control and Pound Bylaw.

*Emergency* means a dog that is at large and acting in an aggressive manner that poses a threat to public safety.

## 2. Terms of Agreement

2.1 The term of this agreement is for the period from January 1, ~~2019~~2022 through December 31, ~~2021~~2024.

2.2 This agreement may be terminated by either party upon giving 90 days written notice.

**3. Consideration**

3.1 The Town agrees to pay the Animal Shelter a monthly contract fee ~~in the amount of \$3,034.48~~ plus applicable taxes for the provision of animal control services for the duration of the contract. as outlined in the following table:

| <u>Term</u> | <u>Monthly Cost</u> | <u>Annual Cost</u> |
|-------------|---------------------|--------------------|
| <u>2022</u> | <u>\$3,916.67</u>   | <u>\$47,000</u>    |
| <u>2023</u> | <u>\$4,041.67</u>   | <u>\$48,500</u>    |
| <u>2024</u> | <u>\$4,166.67</u>   | <u>\$50,000</u>    |

3.2 The Town agrees that the Animal Shelter may retain 100 per cent of any daily maintenance and impound fees collected pursuant to the Dog Licensing, Control and Pound Bylaw.

3.3 The Town agrees that the Animal Shelter may retain amounts collected in respect of animals that are sold.

3.4 The Town will reimburse the Animal Shelter for printing costs in providing Animal Control Notices and forms as needed for the Town.

3.5 The Town will reimburse the Animal Shelter for veterinary costs incurred while performing their duties on behalf of the Town.

3.6 The Town will reimburse the Animal Shelter for emergency response occurring after hours at a rate of \$90 per hour.

**4. Provision of Animal Shelter**

4.1 The Animal Shelter agrees, at its own expense, to provide, maintain, and staff a fully equipped shelter for animals impounded within the Town and that such shelter shall meet all government standards for such shelters, if applicable.

4.2 The shelter shall contain all equipment necessary for its proper operation and, in particular, shall contain all equipment necessary for the humane disposal of animals.

4.3 The shelter shall be open and staffed Monday to Friday, 10:00 a.m. to 5:00 p.m. and Saturday, 10:00 a.m. to 1:00 p.m. (closed on Sundays and holidays).

4.4 The Animal Shelter will provide the Town or its designates with access to the shelter and will staff the shelter in times other than those specified in response to emergency circumstances at no additional cost, if the Town so requests.

- 4.5 The Animal Shelter will pay all costs of operating and maintaining the shelter including collecting the animal shelter daily maintenance fee, as prescribed, and any other impound fees or fees as set forth in the Dog Licensing, Control and Pound Bylaw.
- 4.6 The Animal Shelter will receive, impound, and hold for claiming by the owners, any animal delivered to the Animal Shelter and dispose of unclaimed animals by sale or by humane disposal, in accordance with the terms of the Dog Licensing, Control and Pound Bylaw.
- 4.7 The Animal Shelter will provide special facilities for the quarantine of animals as may be ordered by any person having authority to order the quarantine of animals.

## 5. Provision of Animal Control

- 5.1 The Animal Shelter agrees, at its own expense, to provide its employees with properly equipped vehicles for animal control use.
- 5.2 The Animal Shelter agrees, at its own expense, to employ experienced Animal Control Officers to perform services required by this agreement and within the Dog Licensing, Control and Pound Bylaw.
- 5.3 The Animal Shelter will supply, at its own expense, all Animal Control Officers with uniforms that clearly identify such persons as Animal Control Officers.
- 5.4 The Animal Shelter agrees to perform the following services:
  - (a) patrols on a regular basis for animal control in all areas of the Town, with concentrated patrols in problem areas as may be identified or determined by the Town from time to time;
  - (b) eight hours of animal control enforcement during weekends in Town parks from June 1<sup>st</sup> through to August 31<sup>st</sup>;
  - (c) extra animal control officers and patrols during high profile community events including, but not limited to, Light Up, Ladysmith Days, Canada Day, Ladysmith Maritime Festival, ~~and~~ Arts on the Avenue, Ladysmith Show and Shine Car Show;
  - (d) to report to the Society for the Prevention of Cruelty to Animals (SPCA) any case of animal cruelty or neglect of which the Animal Shelter becomes aware;
  - (e) apprehension and destruction of known or suspected rabid animals;
  - (f) use of humane traps in efforts to capture known or suspected molesters of sheep, swine, or cattle;
  - (g) twenty-four hour emergency service at all times;

- (h) ~~promotion and sale of dog licenses at every opportunity, including an annual “door-to-door” campaign to ensure previously licensed dogs are in compliance with the bylaw~~promotion and sale of dog licenses at every opportunity, to increase dog licensing compliance with the Bylaw;
- (i) courteous and prompt service to all citizen inquiries;
- (j) issuance of tickets relating to offences under the Dog Licensing, Control and Pound Bylaw and appearance on behalf of the prosecution in relation to such offences;
- (k) monthly written reports to the Town summarizing animal control activities undertaken; and
- (l) appearance before the Town Council or a committee of Council upon request to report on animal control activities undertaken and respond to questions as appropriate.

## 6. Indemnity and Insurance

- 6.1 The Animal Shelter agrees to indemnify and save the Town harmless in respect of all charges, costs, expenses, and claims whatsoever arising in connection with the operation of the shelter, the provision of animal control services and the activities of its employees and vehicles.
- 6.2 The Animal Shelter agrees to provide proof of liability insurance in the amount of not less than \$2,000,000 (two million dollars), naming the Town as an additional named insured.
- 6.3 The Animal Shelter warrants that it maintains ~~Workers Compensation Board~~WorkSafeBC coverage.

## 7. Assignment

- 7.1 This agreement may not be assigned by the Animal Shelter without the consent of the Town.

## 8. Financial Information

- 8.1 The Animal Shelter agrees to keep proper books of accounts and provide the Town with an activity report on a monthly basis summarizing the activity of the Animal Shelter.
- 8.2 The Town has the right to inspect the books or other contract related records from time to time.
- 8.3 The Animal Shelter agrees to provide the Town with an annual financial statement in generally accepted accounting format within 60 days after the fiscal year end.

**9. Notice**

9.1 Where called for in this agreement, notice shall be properly affected by first-class mail to the addresses shown at the beginning of this agreement.

**10. Entire Agreement**

10.1 This agreement is the entire agreement between the parties with respect to animal control and supersedes all previous written or oral agreements, representations and statements entered or exchanged by the parties.

**11. Independent Contractor**

11.1 Nothing herein shall constitute or be deemed or construed as constituting the Animal Shelter as a servant or employee of the Town, and the Animal Shelter shall at all times be and remain an independent contractor with the Town.

**IN WITNESS WHEREOF** the parties have duly executed this agreement as at the year and date first above mentioned.

**THE CORPORATE SEAL OF** )  
**THE TOWN OF LADYSMITH** )  
**was hereto affixed in the presence of:** )

\_\_\_\_\_ )  
Mayor Aaron Stone )

\_\_\_\_\_ )  
Donna Smith, Corporate Officer )

**SIGNED, SEALED AND DELIVERED** )  
**in the presence of:** )

\_\_\_\_\_ )  
Witness )

\_\_\_\_\_ )  
Address )

\_\_\_\_\_ )  
Occupation )

\_\_\_\_\_  
Authorized Signatory for  
Coastal Animal Control Services

## BYLAW STATUS SHEET October 19, 2021

|      |   | Status  |
|------|---|---|
| 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. |
| 2087 | Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 68) 2021, No. 2087 (1260 Churchill)              | First and second reading, October 5, 2021. Public Hearing scheduled for November 2, 2021.   |
| 2088 | Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 44) 2021, No. 2088 (1260 Churchill)             | First and second reading, October 5, 2021. Public Hearing scheduled for November 2, 2, 2021. MOTI approval required.  |
| 2089 | Housing Agreement Bylaw 2021, No. 2089 (1260 Churchill)   | First, second and third readings, October 5, 2021.  |
| 2091 | Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 45) 2021, No. 2091 (431 1 <sup>st</sup> Avenue) | First and second readings, October 19, 2021. Public Hearing scheduled for November 16, 2021.  |
| 2092 | Council Procedure Bylaw 2009, No. 1666, Amendment Bylaw (#4) 2021, No. 2092   | First, second and third readings, October 19, 2021. Required advertising in Ladysmith Chronicle October 14, 28, and November 4.                                       |

**From:** AVICC <[avicc@ubcm.ca](mailto:avicc@ubcm.ca)>

**Sent:** October 19, 2021 12:40 PM

**To:** [avicc@ubcm.ca](mailto:avicc@ubcm.ca)

**Subject:** AVICC 1st Call for 2022 Resolutions and Nominations for AVICC Executive

*Please forward to elected officials, the CAO and Corporate Officer.*

The AVICC Executive is putting out a first call for resolutions to be considered at the 2022 convention. The convention is being planned as an in-person event to be held April 1-3 in Victoria at the Conference Centre. AVICC member local governments may now submit board or council endorsed resolutions following the requirements outlined in the attached call for resolutions.

The deadline for resolutions is Noon on Friday, January 28<sup>th</sup>. Please follow the guidelines to ensure resolutions are submitted that provide AVICC and UBCM with clear policy direction for advocacy. Sending in resolutions well ahead of the deadline is strongly encouraged to allow time to review submissions with the sponsoring local government.

The second document attached has information on nominating members to serve on the 2022/2023 AVICC Executive Committee. The deadline to receive nominations is also Noon on Friday, January 28<sup>th</sup>.

There will be a second email sent out with information on submitting suggestions for workshops and speakers at the convention. That email will also have information on how to book hotel rooms in Victoria for the convention.

AVICC will continue to monitor Public Health Office guidelines, and will keep members informed if there are any changes required to our plans for holding our convention in-person in Victoria next year.

We look forward to being able to meet in-person in Victoria.





## 2022 AGM & CONVENTION

# RESOLUTIONS NOTICE REQUEST FOR SUBMISSIONS

The AVICC Executive is calling for resolutions to be considered at the 2022 AGM and Convention that, subject to public health order restrictions, will be held at the Victoria Conference Centre as an in-person event from April 1-3, 2022.

Members are now asked to submit resolutions for consideration at the 2022 Convention. The requirements for the resolutions are outlined below and in the following pages.

### DEADLINE FOR RESOLUTIONS

AVICC must receive all resolutions by: **noon, Friday, January 28, 2022**

### IMPORTANT SUBMISSION REQUIREMENTS

To submit a resolution to the AVICC for consideration please send:

1. One copy as a **word document** by email to [avicc@ubcm.ca](mailto:avicc@ubcm.ca) by the deadline; AND
2. One copy of the resolution by regular mail that may be received after the deadline to:  
AVICC, 525 Government Street, Victoria, BC V8V 0A8

AVICC's goal is to have resolutions that can be clearly understood, and that have specific actions. If a resolution is endorsed, it's "therefore clause" will form the basis for advocacy work with other levels of government and agencies. Detailed guidelines for preparing a resolution are on the next pages, but the basic requirements are:

- Resolutions are only accepted from AVICC member local governments, and must have been endorsed by the board or council.
- Members are responsible for submitting accurate resolutions. AVICC recommends that local government staff assist in drafting the resolutions, check the accuracy of legislative references, and be able to answer questions from AVICC & UBCM about each resolution. Please contact AVICC & UBCM for assistance in drafting the resolution.
- Each resolution **must include a separate backgrounder** that is a maximum of 3 pages and specific to a **single** resolution. Do not submit backgrounders for multiple resolutions. The backgrounder may include links to other information sources and reports.
- Sponsors should be prepared to speak to their resolutions.
- Resolutions must be relevant to other local governments within AVICC rather than specific to a single member government.
- The resolution must have at least one "whereas" clause and should not contain more than two "whereas" clauses. Each whereas clause must only have **one sentence**.

## **LATE AND OFF THE FLOOR RESOLUTIONS**

- a. A resolution submitted after the regular deadline is treated as a "Late Resolution". Late Resolutions need to be received by AVICC by noon on **Wednesday, March 30<sup>th</sup>**.
- b. Late resolutions are not included in the resolutions package sent out to members before the Convention. They are included in the Report on Late Resolutions that is distributed on-site.
- c. The Resolutions Committee only recommends late resolutions for debate if the topic was not known prior to the regular deadline date or if it is emergency in nature. Late resolutions require a special motion at the convention to admit for debate.
- d. Late resolutions are considered after all resolutions printed in the Resolutions Book have been debated. The time is set out in the program, and is normally on Sunday morning.
- e. Off the Floor resolutions must be submitted in writing to the Chair of the Resolutions Session, and copies must be made available to all delegates no later than Sunday morning.

## **UBCM RESOLUTION PROCEDURES**

UBCM urges members to submit resolutions to Area Associations for consideration. Resolutions endorsed at Area Association annual meetings are submitted automatically to UBCM for consideration and do not need to be re-submitted to UBCM by the sponsor.

UBCM and its member local governments have observed that submitting resolutions first to Area Associations results in better quality resolutions overall. If absolutely necessary, however, local governments may submit council or board endorsed resolutions directly to UBCM by June 30. Should this be necessary, detailed instructions are available on the UBCM website.

## **UBCM RESOLUTIONS PROCESS**

1. Members submit resolutions to their Area Association for debate.
2. The Area Association submits resolutions endorsed at its Convention to UBCM.
3. The UBCM Resolutions Committee reviews the resolutions for submission to its Convention.
4. Resolutions endorsed at the UBCM Convention are submitted to the appropriate level of government for response.
5. UBCM will forward the response to the resolution sponsor for review.

## **UBCM RESOLUTIONS GUIDELINES**

### **The Construction of a Resolution:**

All resolutions contain a preamble – the whereas clause(s) – and an enactment clause. The preamble describes *the issue* and the enactment clause outlines *the action being* requested of AVICC and/or UBCM. A resolution should answer the following three questions:

- a) **What is the problem?**
- b) **What is causing the problem?**
- c) **What is the best way to solve the problem?**

### **Preamble:**

The preamble begins with "WHEREAS", and is a concise paragraph about the nature of the problem or the reason for the request. It answers questions (a) and (b) above, stating the problem and its cause, and should explain, clearly and briefly, the reasons for the resolution.

The preamble should contain no more than two "WHEREAS" clauses. Supporting background documents can describe the problem more fully if necessary. Do not add extra clauses.

Only one sentence per WHEREAS clause.

### **Enactment Clause:**

The enactment clause begins with the phrase "Therefore be it resolved", and is a concise sentence that answers question (c) above, suggesting the best way to solve the problem. **The enactment should propose a specific action by AVICC and/or UBCM.**

Keep the enactment clause as short as possible, and clearly describe the action being requested. The wording should leave no doubt about the proposed action.

## **HOW TO DRAFT A RESOLUTION**

### **1. Address one specific subject in the text of the resolution.**

Since your community seeks to influence attitudes and inspire action, limit the scope of a resolution to one specific subject or issue. Delegates will not support a resolution if it is unclear or too complex for them to understand quickly. If there are multiple topics in a resolution, the resolution may be sent back to the sponsor to rework and resubmit, and may end up as a Late Resolution not admitted for debate.

### **2. For resolutions to be debated at UBCM, focus on issues that are province-wide.**

The issue identified in the resolution should be relevant to other local governments across BC. This will support productive debate and assist UBCM to represent your concern effectively to the provincial or federal government on behalf of all BC municipalities and regional districts. Regionally specific resolutions may be referred back to the AVICC, and may not be entered for debate during the UBCM Convention.

### **3. Use simple, action-oriented language and avoid ambiguous terms.**

Explain the background briefly and state the desired action clearly. Delegates can then debate the resolution without having to try to interpret complicated text or vague concepts.

#### **4. Check legislative references for accuracy.**

Research the legislation on the subject so the resolution is accurate. Where necessary, identify:

- the correct jurisdictional responsibility (responsible ministry or department, and whether provincial or federal government); and
- the correct legislation, including the title of the act or regulation.

#### **5. Provide factual background information.**

Even a carefully written resolution may not be able to convey the full scope of the problem or the action being requested. Provide factual background information to ensure that the resolution is understood fully so that members understand what they are debating and UBCM can advocate effectively with other levels of government and agencies.

Each resolution **must include a separate backgrounder** that is a maximum of 3 pages and specific to a single resolution. Do not submit backgrounders that relate to multiple resolutions. The backgrounder may include links to other information sources and reports.

The backgrounder should outline what led to the presentation and adoption of the resolution by the local government, and can link to the report presented to the council or board along with the resolution. Resolutions submitted without background information **will not be considered** until the sponsor has provided adequate background information. This could result in the resolution being returned and having to be resubmitted as a late resolution.

#### **6. Construct a brief, descriptive title.**

A title identifies the intent of the resolution and helps eliminate the possibility of misinterpretation. It is usually drawn from the "enactment clause" of the resolution. For ease of printing in the Annual Report and Resolutions Book and for clarity, a title should be no more than three or four words.

## **TEMPLATE FOR A RESOLUTION**

Whereas << *this is the area to include an issue statement that outlines the nature of the problem or the reason for the request* >> ;

And whereas << *if more information is useful to answer the questions - what is the problem? what is causing the problem?>> :*

Therefore be it resolved that AVICC & UBCM << *specify here the action(s) that AVICC & UBCM are being asked to take on, and what government agency the associations should be contacting to solve the problem identified in the whereas clauses* >>.

*If absolutely necessary, there can be a second enactment clause (the “therefore” clause that specifies the action requested) with the following format:*

And be it further resolved that << *specify any additional actions needed to address the problem identified in the whereas clauses* >>.



## 2022 AGM & CONVENTION

### CALL FOR NOMINATIONS FOR AVICC EXECUTIVE

AVICC members elect directors to the Executive Committee at the AGM. The Executive Committee ensures that the policies set by the general membership are carried forward, and provides direction for the Association between annual meetings. This circular is notice of the AVICC Executive Committee positions open for nomination, and the procedures for nomination.

#### 1. POSITIONS OPEN TO NOMINATIONS

The following positions are open for nomination:

- President
- First Vice-President
- Second Vice-President
- Director at Large (3 positions)
- Electoral Area Representative

#### 2. NOMINATION PROCESS AND QUALIFICATIONS FOR OFFICE

Candidates must be an elected official of an AVICC local government member and must be nominated by two elected officials of an AVICC local government member. Background information on the key responsibilities and commitments of an AVICC Executive member is provided following the nomination form. The Chair of the 2022 Nominating Committee is Past President Carl Jensen.

#### 3. NEXT STEPS

The Nominating Committee will review the credentials of each candidate for eligibility. A Report on Nominations including a photo and biography will be prepared under the direction of the Nominating Committee, and distributed prior to the Convention.

**To be included in the Report on Nominations,  
Nominations Must Be Received by noon, Friday, January 28, 2022**

#### 4. AT CONVENTION

Candidates may also be nominated at the Convention from the floor. Candidates and their two nominators must be elected officials of an AVICC local government member.

#### 5. FURTHER INFORMATION

All enquiries should be directed to:

**Past President Carl Jensen, Chair, 2022 Nominating Committee  
c/o AVICC  
525 Government Street  
Victoria, BC V8V 0A8  
Phone: (250) 356-5122  
email: [avicc@ubcm.ca](mailto:avicc@ubcm.ca)**



# BACKGROUND INFORMATION FOR CANDIDATES TO THE AVICC EXECUTIVE

## 1. RESPONSIBILITY OF AVICC EXECUTIVE

Under the AVICC Bylaws:

*“The Executive shall manage or supervise the management of the Society”*

See <http://avicc.ca/about-the-avicc/constitution-bylaws/> for a complete copy of the AVICC Constitution and Bylaws.

## 2. AVICC EXECUTIVE STRUCTURE

- President
- First Vice-President
- Second Vice-President
- Director at Large (three positions)
- Electoral Area Representative
- Past President

### COMMITTEES

The President may appoint Executive members to AVICC committees and to external committees and working groups as required. The Nominating Committee is a standing committee and is comprised of the Past President and the Executive Director. All members of the Executive serve on the Resolutions Committee.

### CONTRACTED EMPLOYEE

The Association contracts with UBCM for the provision of key services that support the Association. A staff person based in Victoria’s Local Government House provides the key functions. The President is responsible for overseeing the regular activities of the Association and for providing direction to staff.

## 3. EXECUTIVE MEETINGS

The full Executive normally meets in person five times a year, following this pattern:

- During the last day of the annual Convention (less than 15 minutes)
- Mid June
- End of October
- Mid January
- Thursday before the Annual Convention

Executive meetings (other than those held in conjunction with the Convention) are generally held on a Friday or Saturday from 10:00 am to 3:00 pm and are typically held in Nanaimo. Online meetings usually occur 2-3 times per year on an as needed basis (60-90 minutes).

Travel expenses and a per diem are provided for Executive Meetings. For the meeting held on the Thursday before the Convention, reimbursement is only for the added expenses that would not normally be incurred for attending the annual Convention. AVICC does not provide Executive members with complimentary registration for the AGM and Convention.

# NOMINATIONS FOR THE 2022-23 AVICC EXECUTIVE

We are qualified under the AVICC Constitution to nominate<sup>1</sup> a candidate and we nominate:

Candidate Name: \_\_\_\_\_

Local Government Position (Mayor/Councillor/Director): \_\_\_\_\_

Local Government Represented: \_\_\_\_\_

**AVICC Executive Office** Nominated For: \_\_\_\_\_

## MEMBERS NOMINATING THE CANDIDATE:

Printed Name: \_\_\_\_\_ Printed Name: \_\_\_\_\_

Position: \_\_\_\_\_ Position: \_\_\_\_\_

Muni/RD: \_\_\_\_\_ Muni/RD: \_\_\_\_\_

Signature: \_\_\_\_\_ Signature: \_\_\_\_\_

## CONSENT FORM

I consent to this nomination and attest that I am qualified to be a candidate for the office I have been nominated for pursuant to the AVICC Bylaws and Constitution<sup>2</sup>. I also agree to provide the following information to [avicc@ubcm.ca](mailto:avicc@ubcm.ca) by **noon, Friday, January 28, 2022**.

- Photo in digital format
- Biographical information of approximately 300 words that may be edited by AVICC

Printed Name: \_\_\_\_\_

Current Position: \_\_\_\_\_

Muni/RD: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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<sup>1</sup> Nominations require two elected officials of local governments that are members of the Association.

<sup>2</sup> All nominees must be an elected official of an AVICC local government member. Nominees for the position of Electoral Area Representative must be an Electoral Area Director.

**Return To: Past President Carl Jensen, Chair, Nominating Committee,  
c/o AVICC, 525 Government Street, Victoria, BC V8V 0A8  
or scan and email to [avicc@ubcm.ca](mailto:avicc@ubcm.ca)**