

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

Tuesday, December 21, 2021

This meeting will be held electronically

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

Register to electronically attend the meeting: https://zoom.us/webinar/register/WN_KZg9k0uxT06ITsUildDZFQ

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 Regular Meeting of Council for December 21, 2021.

3. PUBLIC HEARING

3.1. "Business Regulations and Licensing (Rental Units) Bylaw 2021, No. 2093"

Bylaw No. 2093 will apply to all rental properties in the Town of Ladysmith and if approved will:

1. Require all rental units to comply with minimum maintenance and building standards;
2. Require owners of property containing three or more rental units to:
 - hold a valid business license; and
 - meet requirements for tenant compensation or accommodation for renovation-related evictions, commonly referred to as "renovictions";
3. Allow the Town to impose fees, fines and other penalties for contraventions of the bylaw; and
4. Allow for exemptions in specified circumstances.

3.1.1. Outline of Public Hearing Process - Mayor Stone

3.1.2. Introduction of Bylaw and Statutory Requirements - Director of Development Services

3.1.3. Submissions

3.1.4. Call for Submissions to Council (Three Times) - Mayor Stone

3.1.5. Declaration that the Public Hearing for Bylaw No. 2093 is Closed - Mayor Stone

4. BYLAWS - ZONING (SUBJECT OF PUBLIC HEARING) & RELATED BYLAWS

4.1. "Business Regulations and Licensing (Rental Units) Bylaw 2021, No. 2093"

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Recommendation

That, subject to any additional matters raised at the Public Hearing, Council adopt "Business Regulations and Licensing (Rental Units) Bylaw 2021, No. 2093".

4.2.	“Affordable Housing Reserve Bylaw 2021, No. 2097”	19
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Recommendation

That, pending adoption of Bylaw No. 2093, Council adopt “Affordable Housing Reserve Bylaw 2021, No. 2097”.

4.3.	“Ladysmith Ticket Information Utilization Bylaw 2002, No. 1457, Amendment Bylaw 2003, No. 2098”	21
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Recommendation

That, pending adoption of Bylaw No. 2093, Council adopt “Ladysmith Ticket Information Utilization Bylaw 2002, No. 1457, Amendment Bylaw 2003, No. 2098”.

5. RISE AND REPORT- Items from Previous Closed Session

Item from the Closed Meeting of Council held November 30, 2021

CE 2021-131

That Council:

1. Advise previously interested parties that the Town is not proceeding with the sale of the Town-owned lots at 535 and 537 South Davis Road at this time;
2. Direct staff to prepare a report with options for zoning that would increase density of the Town-owned lots at 535 and 537 South Davis Road; and
3. Rise and report on Recommendation Nos. 1 and 2 once previously interested parties are notified.

6. MINUTES

6.1.	Minutes of the Special Meeting of Council held November 30, 2021	24
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Recommendation

That Council approve the minutes of the Special Meeting of Council held November 30, 2021.

6.2.	Minutes of the Regular Meeting of Council held December 7, 2021	30
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Recommendation

That Council approve the minutes of the Regular Meeting of Council held December 7, 2021.

7. DELEGATIONS

7.1. Official Community Plan Review Update - Engagement Summary 37

Jennifer Fix and Lucas Onzols-Mongeau, ahne Studio, consultants for the OCP Review

Link to the full Engagement Summary report:

<https://www.ladysmith.ca/city-hall/OCP/community-engagement>

7.2. Cowichan Valley Regional District - Climate Change Adaptation and Risk Management Strategy 59

Keith Lawrence, Senior Environmental Analyst, Environmental Services Division, CVRD

8. DEVELOPMENT APPLICATIONS

8.1. Application to Rezone the Winter Shelter at 631 1st Avenue 75

Recommendation

That Council:

1. Give first and second readings to “Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 38) 2021, No. 2076”;
2. Direct staff to schedule and provide notice for a Public Hearing for Bylaw No. 2076 pursuant to section 464(1)(b) of the *Local Government Act*; and
3. Direct staff to refer Bylaw No. 2076 to the Ministry of Transportation following third reading of the bylaw pursuant to section 52 of the *Transportation Act*.

9. COMMITTEE MINUTES

9.1. Parks, Recreation and Culture Advisory Committee - November 17, 2021 110

Recommendation

That Council receive the minutes of the Parks, Recreation and Culture Advisory Committee meeting held November 17, 2021.

9.2. Official Community Plan Steering Committee - November 25, 2021 113

Recommendation

That Council receive the minutes of the Official Community Plan Steering Committee meeting held November 25, 2021.

9.3.	Public Art Task Group - November 30, 2021	114
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Recommendation

That Council receive the minutes of the Public Art Task Group meeting held November 30, 2021.

9.4.	Community Planning Advisory Committee - December 1, 2021	117
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Recommendation

That Council receive the minutes of the Community Planning Advisory Committee meeting held December 1, 2021.

10. COMMITTEE APPOINTMENTS

10.1. Arts & Heritage Hub Design Steering Committee

The Committee's Terms of Reference state: "The term of each member shall be one year from the date of appointment by Council. Committee members may serve multiple and consecutive terms, if reappointed by Council." The first term of this committee ends January 5, 2022, and existing members of the LDHS, LMS and Arts Council have all indicated they are willing to continue for another term. Stz'uminus First Nation will confirm its appointees at a future date.

Recommendation

That Council reappoint the following members of the Arts & Heritage Hub Design Steering Committee for a further one-year term ending January 5, 2023:

- Ora Steyn, representing the Arts Council of Ladysmith & District;
- Quentin Goodbody, representing the Ladysmith & District Historical Society; and
- Marnie Craig, representing the Ladysmith Maritime Society.

11. BYLAWS

11.1.	Bylaw Status Sheet	120
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12. CORRESPONDENCE

12.1. Ladysmith District & Historical Society

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Recommendation

That the Mayor, on behalf of Council, provide a letter of support for the Ladysmith & District Historical Society's application to the 150 Time Immemorial Grant Program for a cultural awareness project focused on historical and contemporary research, examining the legacy of colonialism in "mainstream" heritage narratives, and bringing to the forefront suppressed, untold, or forgotten stories from underrepresented or marginalized groups as outlined in their letter received December 16, 2021; and further, that the Town permits the use of the Town-owned Ladysmith Archives and Museum for this initiative.

13. NEW BUSINESS

14. 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 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.

15. ADJOURNMENT

“Business Regulations and Licensing (Rental Units) Bylaw 2021, No. 2093”

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TOWN OF LADYSMITH

BYLAW NO. 2093

A Bylaw to regulate and licence the renting of rental units for living purposes and to prescribe standards for the maintenance of rental units.

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

Part 1: Title and Interpretation

Citation

This Bylaw may be cited for all purposes as “Business Regulations and Licensing (Rental Units) Bylaw 2021, No. 2093”.

Definitions

1) In this bylaw:

affordable market housing means: housing subject to an instrument registered on the title of the property, in favour of a provincial, federal or local government, that requires the property to be bought and sold at a price that is at least 5% below market value.

bathroom means: a room consisting of at least one toilet, one sink and one bathtub or shower.

bedroom means: an area within a rental unit that is primarily intended for sleeping.

business license means: a business license issued pursuant to the Town’s *Business License Bylaw*.

Business Licence Bylaw means: “Business Licence Bylaw No. 1513, 2003”, as amended or replaced from time to time.

emergency housing means: a housing facility operated by a non-profit society or government agency which provides temporary emergency accommodation for individuals experiencing homelessness.

hot water means: water supplied from a building’s plumbing system with a minimum temperature of 45° C and a maximum temperature of 60° C.

household means: one or more people related by blood, marriage or a romantic or fraternal relationship.

Inspector means

- a) A building inspector
- b) A bylaw enforcement officer
- c) The Fire Chief or a fire inspector; or
- d) The Director of Development Services.

kitchen means: a room consisting of at least one cooking appliance, one sink, and one refrigerator.

"owner" means: a person who as any legal right, title, estate or interest in a *rental unit* and shall include, without limitation, a landlord, lessor, sublessor or other person permitting the occupation of a *rental unit*, their agents, heirs, assigns, personal representatives and successors in title.

rental unit means: a rental unit as defined in the *Residential Tenancy Act*.

social housing means: a housing facility operated by a non-profit society or government agency which provides affordable or supportive housing.

tenant means: a tenant as defined in the *Residential Tenancy Act*.

Application

- 2) This bylaw applies to all *rental units* in the Town of Ladysmith but does not apply to *social housing* or *emergency housing*.

Part 2: Administration and Enforcement

Administration

- 3) The *Inspector* is authorized to administer and enforce this bylaw and to perform any other duties and exercise any other powers that may be delegated by Council.

Right of Entry

- 4) For the purposes of ensuring compliance with this bylaw or any order made under this bylaw:
 - a) the *Inspector*;
 - b) an investigator or arbitrator appointed by the Residential Tenancy Branch; and
 - c) a public health inspector appointed by the Vancouver Island Health Authority;

is authorized to enter, at all reasonable times, in accordance with section 18, residential property that is subject to this bylaw to ascertain whether the requirements of this bylaw are met. Where entering residential property, an *Inspector* shall show proper identification and shall notify the owner or occupant of the purpose of the entry.

Compliance Orders

- 5) If, in the opinion of the *Inspector*:
 - a) there is a contravention of this bylaw or an order made under this bylaw; or
 - b) a *rental unit* does not conform to the minimum maintenance standards prescribed by this bylaw,

the *Inspector* may issue an order requiring the owner to bring the *rental unit* into compliance with the provisions of this bylaw within the time specified in the notice.

- 6) Service of the order referred to in section 5 will be sufficient if the notice:
 - a) in the case of service on an individual, is served personally or mailed by prepaid registered mail to the address of the owner shown on the then current year's real property assessment roll for the rental property for which the order is issued; or
 - b) in the case of service on a corporation, is served personally to a director, officer or manager of the corporation or by leaving it at or mailing it by registered mail to the registered office of the corporation.

- 7) Where an *owner* has failed to comply with an order under section 5, the Council may:
 - a) order an owner to bring a rental unit that contravenes Part 4 of this bylaw, into compliance with standard specified in that part, within the timeframe specified in the order; and
 - b) if an owner has failed to comply with an order under subsection (a), fulfill the requirement at the expense of the owner and recover the costs incurred from the owner as debt payable under section 17(2) and Division 14 of Part 7 of the *Community Charter*.
- 8) An owner subject to an order under section 7 of this bylaw, may apply to Council for reconsideration and shall:
 - a) submit their request, in writing to the Corporate Officer; and
 - b) be given the opportunity to appear at the next available Council meeting and make submissions to Council.

Severability

- 9) In the event that any portion of this bylaw is declared to be ultra vires by a Court of competent jurisdiction, then such portion shall be deemed to be severed from the bylaw to that extent and the remainder of the bylaw shall continue in force and effect.

Compliance with Other Statutes and Bylaws

- 10) This bylaw is not intended to relieve any person from complying with any other statute, regulation or bylaw relating to building construction and repair, fire safety, tenancy or public health.

Offences and Penalties

- 11) No person shall:
 - a) fail to comply with a compliance order issued by the *Inspector* under this bylaw;
 - b) obstruct or hinder the *Inspector* acting under authority of this bylaw; or
 - c) fail to comply with any other provision of this bylaw.
- 12) Every person who contravenes or violates any provision of this bylaw, or who:
 - a) suffers or permits any act or thing to be done in contravention or in violation of any provision of this bylaw; or
 - b) neglects to do or refrains from doing anything required to be done by any provision of this bylaw,commits an offence and, upon conviction, shall be liable to a minimum fine of \$10,000 and a maximum fine of \$50,000 or penalty as provided by the *Offence Act* and, where the offence is a continuing one, each day the offence continues shall be a separate offence. Where conviction is for failure to pay the required licence fee, the amount which should have been paid for the license shall be added to the penalty and shall form part of the penalty.
- 13) Each day on which a person contravenes Part 5 or Part 4 of this bylaw constitutes a separate offence, whether or not the owner subsequently complies with the bylaw in respect of the tenancy in question.

14) No offence is committed against Part 5 of this bylaw:

- a) following the date on which a tenant is accommodated by the owner in accordance with Part 5 in respect of a renovation or demolition for which the tenant has previously been given notice of eviction or has previously been evicted; or
- b) following the date on which a copy of a written withdrawal of a notice of eviction that would have contravened Part 5 is provided to the *Inspector*.

Part 3: Regulation and Licensing of Rental Units

Application

15) This Part applies to any property that:

- a) contains three or more *rental units*; or
- b) provides housing for five or more tenants who are not part of the same *household*.

Requirements of Rental Businesses

16) No person shall rent or have available for rental any *rental unit* unless the person holds a *business license* in good standing.

17) Every person to which this Part applies shall:

- a) maintain a current register containing the name and current address of every current and former tenant who has resided on the property and shall produce the register for review by the *Inspector* upon request;
- b) provide a copy of this bylaw, at the owner's cost, to every tenant, in the format required by and with any synopses and supplemental information as may be prepared by the Director of Development Services from time to time.

Part 4: Maintenance and Building Standards

Application

18) This Part applies to all *rental units* in the Town.

Responsibilities of Owner

19) Every owner of a *rental unit* is responsible for complying with this bylaw and shall not rent or offer to rent any *rental unit* that does not conform to the minimum maintenance and building standards prescribed in this bylaw.

Pest Control

20) All *rental units* shall be kept free of mice, rats, bed bugs, cockroaches and other vermin and from conditions which may encourage infestations of pests.

Garbage

21) All garbage and refuse shall be stored in proper receptacles and removed regularly and in accordance with any applicable regulations and bylaws.

22) Every *rental unit* shall be provided with a garbage storage facility or a sufficient number of suitable receptacles that are readily accessible to all occupants.

- 23) Every receptacle for garbage shall be made of metal or plastic, water tight, provided with a tight-fitting cover, pest proof and maintained in a clean and tidy state. Garbage bags are not acceptable garbage receptacles.
- 24) Garbage disposal facilities and receptacles shall be cleaned as often as is necessary to maintain a clean and odour free condition and in a manner that will not attract pests, create a health or other hazard or be unsightly.

Structural Integrity

- 25) Buildings and their structural components, including roofs, stairs, railings, porches, deck joists, rafters, beams, columns, foundations, floors, walls and ceilings shall be maintained in good repair and in a manner that:
 - a) provides sufficient structural integrity so as to safely sustain the weight of the building or building component, as applicable, and any additional loads and influences to which it may be subjected through normal use; and
 - b) protect against damage from moisture.

Building Exteriors

- 26) Exterior walls and their components shall be weather tight, in good repair, free from loose or unsecured components and shall be maintained in a manner so as to prevent or retard deterioration due to weather or infestations.
- 27) External building features including canopies, marquees, awnings, screens, cornices, projections, fire escapes, and mechanical and ventilation systems shall be maintained in good repair, properly and safely anchored, protected against deterioration and decay and, where applicable, be maintained in a safe mechanical condition.

Doors, Windows and Ventilation

- 28) Exterior doors, and windows, skylights, and hatchways shall be maintained in good repair and weather tight.
- 29) Openings in exterior walls, other than doors and windows, shall be effectively protected to prevent the entry of rodents, insects or vermin.
- 30) Latching and locking devices shall be maintained in good working order and shall be provided on:
 - a) all entrances to every *rental unit*; and
 - b) all windows in every *rental unit*.
- 31) Every *rental unit* shall be provided with a means of ventilation and natural light.
- 32) All ventilation systems whether mechanical or natural, shall be maintained in good working order.
- 33) Any room with a shower or bathtub shall be provided with a window or ventilation system which shall be maintained in good operating condition.

Roofing

34) The roof, including the flashing, fascia, soffit, and cornice shall be maintained in a weather-tight condition so as to prevent leaks into *rental units* and common areas.

Stairs, Balconies and Decks and Porches

35) Stairways, balconies, porches, and landings shall be maintained:

- a) in a safe and clean condition;
- b) in good repair, and
- c) free from holes, cracks, excessive wear and warping, obstructions and similar hazards.

Basements

36) Basement floor drains shall be maintained in good condition.

37) Floors in basements shall be kept dry and free from major cracks, breaks or similar conditions which would create a hazard or allow the entrance of water into the basement.

Floors

38) Floors shall be maintained in a reasonably smooth and level condition and free of loose, warped or decayed boards, depressions, protrusions, deterioration or other defects which may create health, fire or fall hazards.

39) Where floors are covered, the covering shall be maintained in a safe condition.

40) Shower room and *bathroom* floors shall be covered with smooth moisture resistant floor finishes, and in such condition as to permit easy cleaning.

Walls and Ceilings

41) Interior walls and ceilings shall be maintained in a clean condition, in good repair and free from holes, or loose or broken plaster that may create health, fire or accident hazards.

Plumbing and Plumbing Fixtures

42) All plumbing, plumbing fixtures and connections to the water and sewer system, shall be maintained in good working order and repair, protected from freezing and free from leaks or other defects.

43) Every indoor sink, bathtub, and shower shall have an adequate supply of hot and cold running water and every toilet and toilet tank shall have an adequate supply of running water.

Gas Appliances and Systems

44) All gas systems and appliances shall be maintained in safe working order and repair.

45) All systems of appliance venting shall be maintained in safe working order so as to prevent the creation of a health, explosion or fire hazard.

Heating

46) Heating equipment shall be:

- a) maintained in a safe and working condition;
- b) capable of safely attaining and maintaining an adequate temperature standard in all *rental units*;

- c) capable of maintaining every room at a temperature of 22° C (72° F) measured at a point 1.5 meters (5 feet) from the floor and in the centre of the room; and
- d) Either:
 - i) turned on in order to maintain the required temperature upon the request of any occupant of a *rental unit*; or
 - ii) controllable by any occupant of a *rental unit*.

47) Portable heaters or cooking appliances shall not be used as the primary heating method for a *rental unit*.

Electrical and Lighting Systems

48) All electrical wiring and lighting equipment shall be maintained in good working order.

49) Adequate levels of artificial lighting shall be provided and maintained in good working order in all *rental units* and common areas.

Building Safety Features

50) Walls, floors and roof constructions, including fire separation materials and protective closures shall be maintained so that they continue to provide the fire resistive properties and protection for which they were designed.

51) Fire detection, evacuation, suppression and containment equipment including sprinkler systems, fire alarms, and detection systems and other means of fire protection shall be maintained so as to remain operational and fulfill the function for which they were designed.

Elevators

52) Elevators shall be maintained in a safe, clean condition and certified to be in good working order and in compliance with the *Safety Standards Act*.

53) All elevator parts and appendages, including lighting fixtures, lamps, elevator buttons, floor indicators and ventilation fans, shall be kept in good repair and operational.

Parking

54) Parking garages and parking areas shall be used for parking vehicles and bicycles and no other purpose. Tenants shall not be required to park on the street where on-site parking is available.

Utilities

55) No owner shall disconnect or cause to be disconnected any service or utility providing:

- a) light;
- b) heat;
- c) air conditioning;
- d) refrigeration;
- e) water;
- f) sewer;
- g) electricity;
- h) fuel; or
- i) cooking facilities,

for any *rental unit* occupied by a tenant, except in an emergency or for such reasonable period of time as may be required for the purpose of repair or replacement.

- 56) For the purpose of section 55, an owner is deemed to have caused utilities to be disconnected if:
- a) the owner has failed to pay utility bills;
 - b) any person acting on behalf of the owner disconnects a utility service; or
 - c) the disconnection is a result of a failure by the owner to perform proper building maintenance or prevent damage to the property.

Room Sizes, Configurations and Ceiling Heights

57) The minimum ceiling height for any room used for living, sleeping, cooking and eating purposes in a *rental unit* shall be 1.95 meters over at least ½ the floor area. Any floor area under a ceiling less than 1.4 meters in height shall not be counted in calculating a required minimum floor area.

- 58) The minimum floor area of a *rental unit* shall be:
- a) nine square meters for a *rental unit* that does not contain a *kitchen* or *bathroom*;
 - b) 14 square meters for a *rental unit* that contains only sleeping and living areas and a *kitchen* but no *bathroom*; and
 - c) 18 square meters for a *rental unit* that contains sleeping and living areas and a *kitchen* and *bathroom*.

- 59) *Bedrooms* shall:
- a) have a minimum floor area of:
 - i) six square meters where a *bedroom* used by only one person; and
 - ii) four square meters per person, where a *bedroom* is used by more than one person; and
 - b) shall be provided with privacy in the form of walled enclosure and door.

Food Preparation, Storage and Cooking

60) All *rental units* must have unrestricted access to a *kitchen*.

61) Cooking, food preparation and storage is prohibited in *bedrooms*.

Laundry Facilities

- 62) Washers, where provided, shall be installed in accordance with the manufacturer's instructions and properly connected to the drainage, electrical and water supply systems.
- a) Dryers, where provided, shall:
 - be installed in accordance with the manufacturer's instructions;
 - b) properly connected to the electrical and drainage systems; and
 - c) be properly vented to the exterior of the building, or be an approved condensing dryer that does not require ventilation.

Bathrooms

63) All *rental units* must have unrestricted access to a *bathroom*.

64) *Bathroom* sinks, toilets and showers or bathtubs shall be provided at a ratio of one to ten occupants.

65) All showers, bathtubs and toilets shall be provided with privacy in the form of walled enclosure and door that can be locked from the inside.

Part 5: Renovations and Demolition

Exemptions

66) This part does not apply to:

- a) any property containing fewer than three *rental units*;
- b) any building or *rental unit*, that has been deemed, in writing, in a report by an *architect, engineer* or any governmental authority having jurisdiction that has been delivered to the Town, to be unsafe for any person to occupy the building.; or
- c) any renovation or demolition of a building for which Council has approved a conversion to a strata under section 242 of the *Strata Property Act* as amended or replaced from time to time.

67) The *Inspector* may require an owner who has provided a written determination under section 66(b) to pay the City's cost in obtaining a second opinion from an architect, professional engineer or qualified consultant, on whether the implementation of the owner's plans requires the building to be renovated or vacated as the case may be.

Restrictions on evictions

68) An *owner* shall not evict or take any steps to evict a *tenant* from a *rental unit* for the purposes of a renovation or demolition unless the owner has:

- a) entered into a new tenancy agreement with the *tenant*, with the same terms and rent or terms and rent that are more favourable to the tenant for:
 - i) interim accommodation while the proposed work is occurring; and
 - ii) the same *rental unit* or a comparable *rental unit*, located on the same property once the proposed work is complete;
- b) entered into a new tenancy agreement with the *tenant*, with the same terms and rent or terms and rent that are more favourable to the *tenant* for another *rental unit*; or
- c) paid to the *tenant* an amount equal to 12 months the current rent for the rental unit plus one additional month's rent for each year the tenant has rented the rental unit

69) The regulation contained in section 68 is a term and condition of any business licence issued by the Town to an owner.

70) For clarity, section 68 does not prohibit allowable annual rent increases under Part 3 of the *Residential Tenancy Act*.

71) As a term and condition of an owner's *business licence*, the *Inspector* may levy a one-time regulatory fee in addition to the licence fee chargeable under the *Business Licence Bylaw* on any owner who contravenes section 68, in the amount that is equal to 12 months the current rent for the rental unit plus one additional month's rent for each year the tenant has rented the rental unit.

72) An owner may apply to Council for reconsideration of a levy issued to an *Inspector* under section 71 of this Bylaw.

73) The Town may refuse to renew the *business licence* of any owner who, being subject to a surcharge under section 71, has not paid the additional fee by the date on which the licence renewal is required.

74) For certainty, sections 68 to 73 of this Bylaw apply notwithstanding any provisions to the contrary in the *Business Licence Bylaw*.

Application for Exemption

75) An owner who is subject to section 68 may apply to Council for an exemption from that section in respect of the owner's building or one or more portions of the building.

76) Council may grant an exemption where, in the opinion of Council the owner has provided sufficient evidence that:

- a) an alternative agreement between all *tenants* and the owner has been reached;
- b) the renovation will add at least 20% more rental units to the property;
- c) the renovation is being undertaken for the purpose of converting the rental unit to *social housing*;
- d) the renovation or demolition is being undertaken for the purpose of creating an equivalent number of dwelling units that are *affordable market housing* or *social housing*;
- e) a *tenant* has refused to sign a tenancy agreement that complies with section 68;
- f) for a proposed renovation, the owner has provided financial statements produced by a professional accountant, stating that the annual maintenance and operating costs for the subject rental units exceed the annual rents collected by the owner for those units (the "Annual Rents"), and that the proposed renovations are projected to reduce annual maintenance and operating costs to an amount less than the Annual Rents; or
- g) the purpose of the owner's renovation or repair plans is to bring the building into compliance with one or more provisions of Part 4 of the Bylaw, or another enactment respecting health or safety, and the renovation or repair plans cannot be safely implemented unless the building or portion is vacated.

77) An application under section 76(g) must be accompanied by a certification by an architect, professional engineer or qualified building code consultant that certifies that, after due consideration of all practical alternative approaches to the work, the implementation of the owner's renovation or repair plans requires that the owner's building be vacated in whole or in part.

78) Council may require an owner who has provided a certification under section 77 to pay the Town's cost in obtaining a second opinion from an architect, professional engineer or qualified building code consultant, as the case may be, on whether the implementation of the owner's plans requires that the owner's building or portion of the building be vacated.

79) Prior to considering an exemption under section 76:

- a) written notice to the *tenants* and *owner* shall be provided; and
- b) Council shall provide an opportunity for both the *tenants* and the *owner* to be heard and make written submissions to Council.

80) A notice under section 79:

- a) must state the following:
 - i) the time, date, and place where the matter will be in front of Council;
 - ii) if the matter is in front of Council using electronic or other communication facilities, the way in which the meeting is to be conducted by those means; and
- b) be mailed or otherwise delivered at least 10 days before the meeting to the owner and *tenants*.

81) Council may, in approving an application for an exemption under subsections 76(b), (c) or (d), impose conditions related to:

- a) the timing of renovations, demolitions, construction and related approvals; and
- b) the dates by which a rental unit must be vacated.

82) Council may, in approving an application for an exemption under subsections 76(e), (f), or (g) impose conditions related to:

- a) tenant compensation
- b) how tenant compensation shall be paid;
- c) the temporary accommodation of *tenants* during the renovation or repair, including location of temporary accommodation;
- d) rents payable during periods of temporary accommodation; and
- e) the timeframe in which renovations must be completed.

83) In imposing conditions under sections 81 and 82, Council must consider:

- a) The timing of renovations, construction demolition and evictions;
- b) the amount of time the proposed renovations are to take;
- c) the amount of rent payable at the time of application; and
- d) market rents and vacancy rates in the Town for similar units at the time of application.

READ A FIRST TIME on the	7 th day of	December,	2021
READ A SECOND TIME on the	7 th day of	December,	2021
READ A THIRD TIME on the	7 th day of	December,	2021
PUBLIC HEARING HELD on the	day of	,	
ADOPTED on the	day of	,	

Mayor (A. Stone)

Corporate Officer (D. Smith)

TOWN OF LADYSMITH

BYLAW NO. 2097

A bylaw to establish a reserve fund to support affordable housing in Ladysmith

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

1. A reserve fund is established under the provisions of the *Community Charter* to be known as the "Affordable Housing Reserve".
2. Voluntary contributions from the community shall be deposited into this reserve where such contributions are expressly provided for the purpose of contributing to the Affordable Housing Reserve.
3. Funds collected or allocated under any bylaw shall be deposited into this reserve where such bylaw expressly provides that such funds are to be deposited into this reserve.
4. Council may direct that monies be allocated to the Affordable Housing Reserve.
5. Money set aside until required to be used, may be invested in the manner provided by the *Community Charter*.
6. Money set aside and any interest earned thereon shall be expended solely for:
 - a. Affordable housing projects undertaken by a non-profit society or government agency, including costs related to design, government approvals and construction.
 - b. The purchase of affordable housing or land on which affordable housing will be built, by a non-profit society or government agency.
 - c. The construction or operation of emergency housing or social housing operated by a non-profit society or government agency.
 - d. Renter or homeowner subsidies, incentives and rebates that reduce housing cost, where such programs are authorized under the *Community Charter*, *Local Government Act* or other enabling legislation, such as programs to subsidize rent or reduce homeowner energy costs.
 - e. The costs of preparing applications for grants and similar funding sources related to housing affordability including staff and consultant costs, and application fees.
 - f. The cost of preparing studies and reports related to housing affordability, homelessness and factors that contribute to homelessness and unaffordability.

7. This bylaw may be cited for all purposes as "Affordable Housing Reserve Bylaw 2021, No. 2097".

READ A FIRST TIME	on the	7 th	day of	December	, 2021
READ A SECOND TIME	on the	7 th	day of	December	, 2021
READ A THIRD TIME	on the	7 th	day of	December	, 2021
ADOPTED	on the		day of		,

Mayor (A. Stone)

Corporate Officer (D. Smith)

TOWN OF LADYSMITH

BYLAW NO. 2098

A Bylaw to amend the Ticket Information Utilization Bylaw

The Council of the Town of Ladysmith in open meeting assembled enacts the following amendments to "Town of Ladysmith Ticket Information Utilization Bylaw 2002, No. 1457":

1. Amend "Schedule "1" by adding item 14 to Designated Bylaws as follows:

Designated Bylaws

14. "Business Regulations and
Licensing (Rental Units) Bylaw
2021, No. 2093"

Designated Bylaw Enforcement Officers

Building Inspector
Fire Chief
Bylaw Enforcement Officer

2. Add Schedule "15" which is attached to and forms part of this bylaw.

Citation

3. This bylaw may be cited for all purposes as "Town of Ladysmith Ticket Information Utilization Bylaw 2002, No. 1457, Amendment Bylaw 2021, No. 2098".

READ A FIRST TIME	on the	7 th	day of	December	, 2021
READ A SECOND TIME	on the	7 th	day of	December	, 2021
READ A THIRD TIME	on the	7 th	day of	December	, 2021
ADOPTED	on the		day of		,

Mayor (A. Stone)

Corporate Officer (D. Smith)

SCHEDULE 15

BYLAW NO. 1457

RE: "Business Regulations and Licensing (Rental Units) Bylaw 2021, No. 2093"

<u>OFFENCE</u>	<u>SECTION</u>	<u>FINE</u>
Failure to comply with an order	11(a)	\$1,000
Obstructing an inspector	11(b)	\$1,000
Failure to obtain a business license	16	\$500
Failure to maintain a register	17(a)	\$500
Failure to provide bylaw to tenant	17(b)	\$500
Failure to control pests	20	\$1,000
Improper garbage storage	21	\$1,000
Failure to provide garbage facilities	22	\$1,000
Inadequate garbage facilities/receptacles	23	\$1,000
Failure to clean garbage facilities/receptacles	24	\$1,000
Lack of structural integrity	25	\$1,000
Unmaintained exterior walls	26	\$1,000
Unmaintained external building features	27	\$1,000
Unmaintained doors/windows	28	\$1,000
Unmaintained openings	29	\$1,000
Inadequate latching/locking devices	30	\$1,000
Inadequate ventilation and light	31	\$1,000
Unmaintained ventilation system	32	\$1,000
Inadequate shower/bathtub ventilation	33	\$1,000
Unmaintained roof	34	\$1,000
Unsafe structure	35	\$1,000
Unmaintained basement floor drain	36	\$1,000
Unmaintained basement floor	37	\$1,000
Unmaintained floor	38	\$1,000
Unsafe floor covering	39	\$1,000
Inadequate bathroom floor covering	40	\$1,000
Unmaintained wall/ceiling	41	\$1,000
Unmaintained plumbing	42	\$1,000
Lack of running water	43	\$1,000
Unsafe gas appliance	44	\$1,000
Unsafe gas appliance venting	45	\$1,000
Unsafe/Inadequate heating	46	\$1,000
Unapproved heating device	47	\$1,000
Unmaintained electrical	48	\$1,000
Inadequate lighting	49	\$1,000
Inadequate fire resistance	50	\$1,000
Unmaintained fire protection systems	51	\$1,000
Unmaintained elevator: <i>Safety Standards Act</i>	52	\$1,000
Unmaintained elevator: Fixtures	53	\$1,000

Inadequate parking	54	\$500
Disconnected utilities	55	\$1,000
Inadequate ceiling height	57	\$1,000
Inadequate floor area: Rental Unit	58	\$1,000
Inadequate floor area: Bedroom	59	\$1,000
No access to Kitchen	60	\$1,000
Cooking facilities in bedroom	61	\$1,000
Unsafe washer	62	\$1,000
Unsafe dryer	63	\$1,000
No access to bathroom	64	\$1,000
Inadequate number bathroom fixtures	65	\$1,000
Inadequate privacy screens	66	\$1,000



MINUTES OF A SPECIAL MEETING OF COUNCIL

Tuesday, November 30, 2021

6:30 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

Donna Smith
Chris Geiger
Ryan Bouma
Sue Bouma

1. CALL TO ORDER AND ACKNOWLEDGEMENT

Mayor Stone called the Special Meeting of Council to order at 6:30 p.m., recognizing with gratitude that it was taking place on the traditional unceded territory of the Stz'uminus First Nation.

2. AGENDA APPROVAL

CS 2021-378

That Council approve the agenda for this Special Meeting of Council for November 30, 2021.

Motion Carried

3. 2022 FINANCIAL PLAN DISCUSSION

3.1 2022-2026 Financial Plan Deliberations

CS 2021-379

That Council include in the 2022–2026 Financial Plan:

1. Funding to hire a full time Manager of Protective Services/Fire Chief starting July 1, 2022;
2. Funding for a part time contract term Planner and a part time contract term Administrative Assistant in the Development Services area with the funds to come from prior year surplus; and
3. Funding for the early budget approval of the following capital projects:
 - a.) Waterfront Area Plan: Business Plan for \$ 30,000
 - b.) Asbestos Survey for TOL Buildings for \$ 35,000
 - c.) Car Shop Repairs for \$ 20,000
 - d.) Concession Building @ Transfer Beach - Demolition for \$ 40,000
 - e.) Food Bank - Demolition for \$ 45,000
 - f.) Loci Shop Roof for \$ 62,500
 - g.) PW Building Roof - Phase 2 (section 1A & 3B) for \$ 50,000
 - h.) Replace Rolling Doors @ Eco Tourism Building for \$ 13,535
 - i.) Photocopier (FJCC) for \$ 15,000
 - j.) Golf Course Netting for \$ 20,000
 - k.) Kay Grouhel Recognition for \$ 8,000
 - l.) Turf Field Crumb Rubber Finish - Forrest Field for \$ 30,000
 - m.) GIS Stage 3 Implementation for \$ 60,000
 - n.) Chicken Ladder Flood Hardening for \$400,000
 - o.) Diamond Meter & Vault Replacement for \$ 125,000
 - p.) Diamond meter replacement for \$ 40,000
 - q.) Edgewood Water Meter Replacement for \$ 76,932
 - r.) Irrigation Upgrades - Highway for \$ 50,000
 - s.) Electric Vehicle Charging Station for \$ 25,000
 - t.) Roundabout - Ludlow & Rocky Cr for \$ 1,600,000
 - u.) Waterfront Phase 2 Remediation for \$ 400,000.

Motion Carried

3.2 Public Input and Questions

No questions were submitted by the public.

4. BYLAWS

4.1 Bylaw No. 2095 (2022 revenue anticipation)

CS 2021-380

That Council give first, second and third readings to “2022 Revenue Anticipation Borrowing Bylaw 2021, No. 2095”.

Motion Carried

4.2 Bylaw No. 2096 (waterworks regulation amendment)

CS 2021-381

That Council give first, second and third readings to Town of Ladysmith “Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2021, No. 2096”.

Motion Carried

4.3 Bylaw No. 2094 (dog licence fees)

CS 2021-382

That Council adopt “Dog Licensing, Control and Pound Bylaw 1995, No. 1155, Amendment Bylaw 2021, No. 2094”.

Motion Carried

5. CORRESPONDENCE

5.1 Arts Council of Ladysmith and District

CS 2021-383

That Council refer to the December 21, 2021 Regular Council Meeting the correspondence dated November 18, 2021 from the Arts Council of Ladysmith & District requesting support for their grant application to the BC Arts Council, and that staff provide a report providing clarity on the scope of the proposed project and the Town’s role in the process.

Motion Carried

6. UNFINISHED BUSINESS

6.1 Standing and Community Committee Representatives (Referred from November 16, 2021 Regular Council Meeting)

Mayor Stone made the following appointments to Council Advisory Commissions and Committees:

Committee of the Whole

Chair (to April 2022): Councillor McKay;

Vice Chair: Councillor Stevens

Chair (May to October 2022): Councillor Stevens;

Vice Chair Councillor McKay

Members: All members of Council

Waterfront Implementation Committee

Representative: Mayor Aaron Stone

Representative: Councillor McKay

Representative: Councillor Stevens

Community Planning Advisory Committee

Council Liaison: Councillor Stevens

Alternate: Councillor McKay

Protective Services

Chair: Councillor Paterson

Alternate: Councillor Virtanen

Parks Recreation and Culture Advisory Committee

Council Liaison: Councillor Paterson

Alternate: Councillor Jacobson

Official Community Plan Steering Committee

Council Liaison: Councillor McKay

Alternate: Councillor Jacobson

Arts & Heritage Hub Design Steering Committee

Council Liaison: Councillor Stevens

Alternate: Councillor Virtanen

Liquid Waste Management Plan Committee

Council Liaison: Councillor Johnson

Council Liaison: Councillor Paterson

Council Liaison: Councillor Virtanen

Youth Advisory Committee

Council Liaison: Councillor Virtanen

Alternate: Councillor Jacobson

Public Art Task Group

Council Liaison: Councillor McKay

Alternate: Councillor Stevens

Stocking Lake Advisory Committee

Chair: Mayor Aaron Stone

Council Liaison: Councillor Stevens

Celebrations Committee (Ladysmith Days)

Council Liaison: Councillor Virtanen

Alternate: Councillor Paterson

Festival of Lights

Council Liaison: Councillor Paterson

Alternate: Mayor Stone

Chamber of Commerce

Council Liaison: Councillor Paterson

Alternate: Mayor Aaron Stone

Ladysmith Downtown Business Association

Council Liaison: Councillor Jacobson

Alternate: Mayor Stone

Social Planning Cowichan

Council Liaison: Councillor Stevens

Alternate: Mayor Aaron Stone

Ladysmith Community Justice Program

Council Liaison: Councillor McKay

7. CLOSED MEETING

CS 2021-384

That, in accordance with section 90 of the *Community Charter*, Council retire into closed session at 7:12 p.m. in order to consider items related to the following:

- labour relations or other employee relations - section 90(1)(c);
- the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality - section 90(1)(e); and
- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose - section 90(1)(i).

Motion Carried

8. RISE AND REPORT

Council rose from Closed Session at 8:51 p.m. without report.

9. ADJOURNMENT

CS 2021-385

By unanimous consent this Special Meeting of Council was adjourned at 8:52 p.m.

Motion Carried

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (D. Smith)



MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, December 7, 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

Donna Smith
Ryan Bouma
Sue Bouma

Guests:

Rachelle Rondeau, CVRD Transit Analyst
Dan Thompson, BC Transit Planner (via telephone)
Myrna Moore, BC Transit Senior Manager of Government Relations (via telephone)

1. CALL TO ORDER AND ACKNOWLEDGEMENT

Mayor Stone called the 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 First Nation.

2. AGENDA APPROVAL

CS 2021-386

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

Motion Carried

3. MINUTES

3.1 Minutes of the Public Hearing and Regular Meeting of Council held November 16, 2021

CS 2021-387

That Council approve the minutes of the Public Hearing and Regular Meeting of Council held November 16, 2021.

Motion Carried

4. DELEGATIONS

4.1 Arts Council of Ladysmith & District

Andrea Rosato-Taylor, Arts Council of Ladysmith & District, introduced members of the Arts Council, thanked Town staff for their assistance and provided an electronic presentation outlining the current challenges faced by the Arts Council. She and members of the Arts Council responded to Council's questions.

Council thanked Ms. Rosato-Taylor and the members of the Arts Council for their contributions to the character and atmosphere of the Town. They noted that they would consider the issues presented at a future Grants in Aid discussion.

5. REPORTS

5.1 "Public Hearing Process Policy 01-0550-B"

CS 2021-388

That Council adopt "Public Hearing Process Policy 01-0550-B", which sets out the procedures for Town of Ladysmith Public Hearings.

Motion Carried

5.2 2022 Council Meeting Schedule

CS 2021-389

That Council confirm the schedule of regular Council and Committee of the Whole meetings for 2022 as attached to the staff report dated December 7, 2021 and direct staff to advertise the schedule in accordance with Section 127 of the *Community Charter*.

Motion Carried

5.3 Adjustment to Water Billing Account

CS 2021-390

That Council provide a bill adjustment in the amount of \$3,941.40 for billing account #0455000, due to a water leak.

Motion Carried

5.4 RFP 2021-PRC-01 Transfer Beach Washroom Construction

CS 2021-391

That Council award the contract for the renovations and upgrades to the Transfer Beach washrooms to Boston Construction Corp. in the amount of \$364,100 excluding GST.

Motion Carried

5.5 BC Transit Nanaimo-Cowichan Express Route – Bus Stop Location

CS 2021-392

By unanimous consent Council recessed at 7:58 p.m. to allow members of BC Transit to join the meeting via telephone.

Council reconvened at 8:05 p.m.

Rachelle Rondeau, CVRD Transit Analyst, responded to Council's questions. Dan Thompson, BC Transit Planner and Myrna Moore, BC Transit Senior Manager of Government Relations, attended the meeting via telephone and responded to Council's questions.

CS 2021-393

That Council accept with reservations the proposed BC Transit Nanaimo to Cowichan Express Route bus stop location in front of Bob Stuart Park on 1st Avenue.

Motion Carried

OPPOSED: Councillors Jacobson and Johnson

5.6 Tender Award: Watermain Replacement on Methuen Street, French Street, Kitchener Street and Parkhill Terrace

CS 2021-394

That Council award the tender for the watermain replacements on Methuen Street, French Street, Kitchener Street and Parkhill Terrace to David Stalker Excavating Ltd. in the amount of \$577,263.70 including GST.

Motion Carried

6. BYLAWS

6.1 “Business Regulations and Licensing (Rental Units) Bylaw 2021, No. 2093” (Renovictions)

Councillor Johnson requested that Council consider each recommendation separately. The Mayor ruled that this request could be accommodated.

Councillor Paterson called a Point of Order, stating that a vote of Council be taken to separate the recommendations. Council ruled that the decision of the Mayor be sustained.

CS 2021-395

That Council give first, second and third reading to “Business Regulations and Licensing (Rental Units) Bylaw 2021, No. 2093”.

Motion Carried

OPPOSED: Councillor Johnson

CS 2021-396

That Council, having considered sections 59(2) and 59(3) of the *Community Charter*, direct staff to:

- a. Schedule a public hearing for Bylaw No. 2093; and
- b. Provide notice of the hearing in two consecutive issues of the local newspaper.

Motion Carried

CS 2021-397

That Council give first, second and third readings to “Affordable Housing Reserve Bylaw 2021, No. 2097”.

Motion Carried

CS 2021-398

That Council give first, second and third readings to “Ladysmith Ticket Information Utilization Bylaw 2002, No. 1457, Amendment Bylaw 2003, No. 2098”.

Motion Carried

CS 2021-399

That Council direct that, upon adoption of Bylaw No. 2093, any fees collected under section 71 of Bylaw No. 2093 be paid to affected tenants who would otherwise be eligible for compensation under section 68 of Bylaw No. 2093.

Motion Carried

CS 2021-400

That Council direct staff to provide at a future meeting of Council, further information regarding additional policies for property record disclosure and inspections, as noted in the staff report dated December 7, 2021.

Motion Carried

6.2 Bylaw No. 2091 (Zoning Amendment 431 1st Avenue)

CS 2021-401

That Council adopt "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 45) 2021, No. 2091".

Motion Carried

6.3 Bylaw No. 2095 (2022 Revenue Anticipation)

CS 2021-402

That Council adopt “2022 Revenue Anticipation Borrowing Bylaw 2021, No. 2095”.

Motion Carried

6.4 Bylaw No. 2096 (Waterworks Regulation Amendment)

CS 2021-403

That Council adopt Town of Ladysmith “Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2021, No. 2096”.

Motion Carried

6.5 Bylaw Status Sheet

7. CORRESPONDENCE

7.1 Kinsmen Club of Ladysmith

Councillor Paterson declared a conflict of interest with agenda item 7.1 stating that he is a member of the Kinsmen Club and vacated the meeting at 9:21 p.m.

CS 2021-404

That the Mayor on behalf of Council, write a letter of support for the Kinsmen Club of Ladysmith's efforts to acquire the former BC Hydro property at Sixth Avenue and Methuen Street for affordable housing, as outlined in their correspondence dated November 25, 2021.

Motion Carried

Councillor Paterson returned to the meeting at 9:22 p.m.

7.2 Ladysmith Resources Centre Association

Councillor Stevens declared a conflict of interest with agenda item 7.2 stating an apprehension of bias regarding the Ladysmith Resources Centre Association and vacated the meeting at 9:23 p.m.

CS 2021-405

That Council provide a letter of support to the Ladysmith Resources Centre Association for their 2022 Civil Forfeiture funding application to support a Restorative Justice in Education Resilient Youth project, as requested in their correspondence dated November 29, 2021.

Motion Carried

Councillor Stevens returned to the meeting at 9:27 p.m.

8. QUESTION PERIOD

There were no questions submitted by the public.

9. ADJOURNMENT

CS 2021-406

That this Regular Meeting of Council be adjourned at 9:28 p.m.

Motion Carried

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (D. Smith)

Ladysmith Council

Engagement Summary Update

December 21, 2021



How We Engaged

- Online Survey
- Community and Organization Virtual Sessions
- Out and About Survey
- Play Package / Children's Activity Sheets
- Community Ideas Fair
- Walkshops
- Youth Engagement

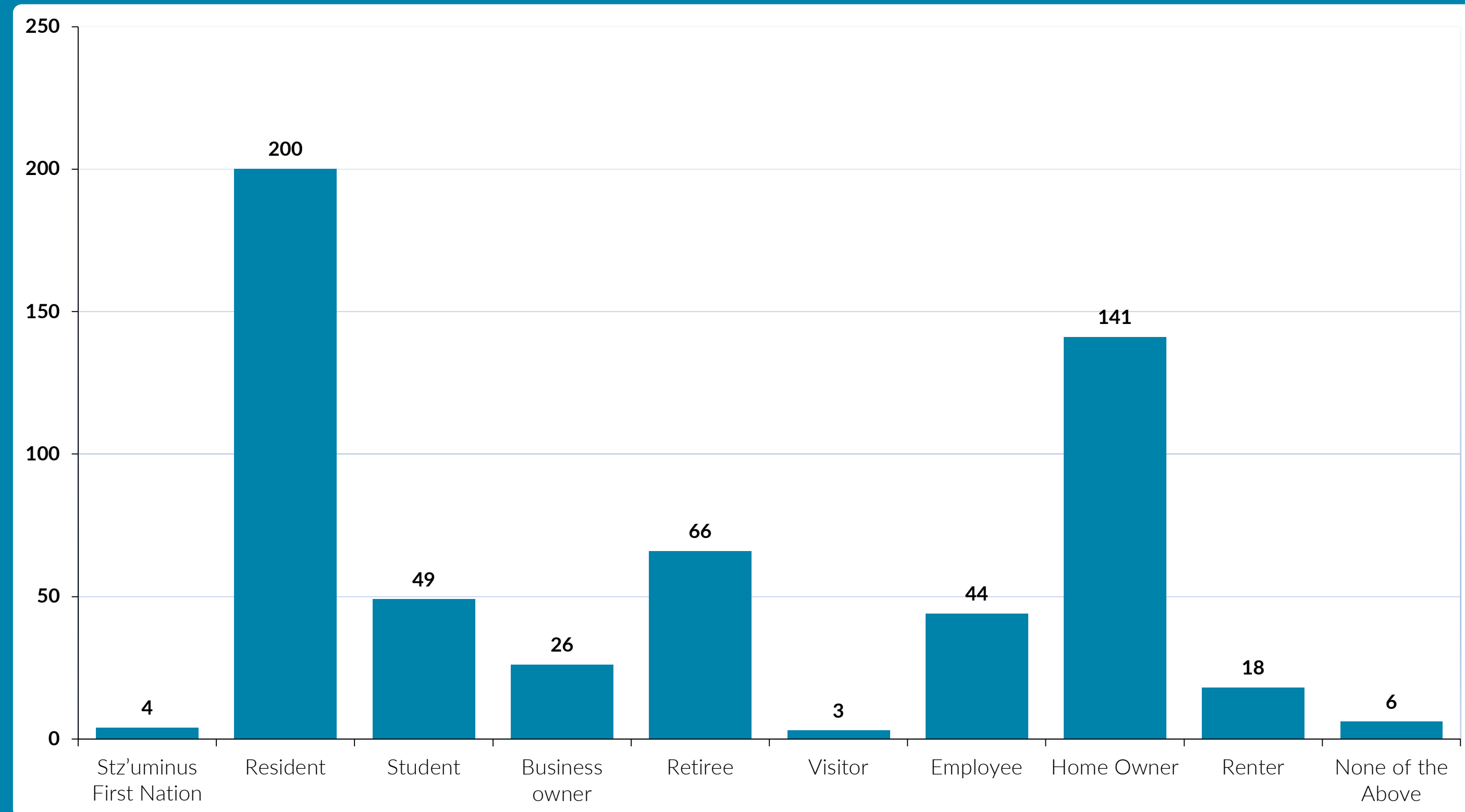


Who Participated

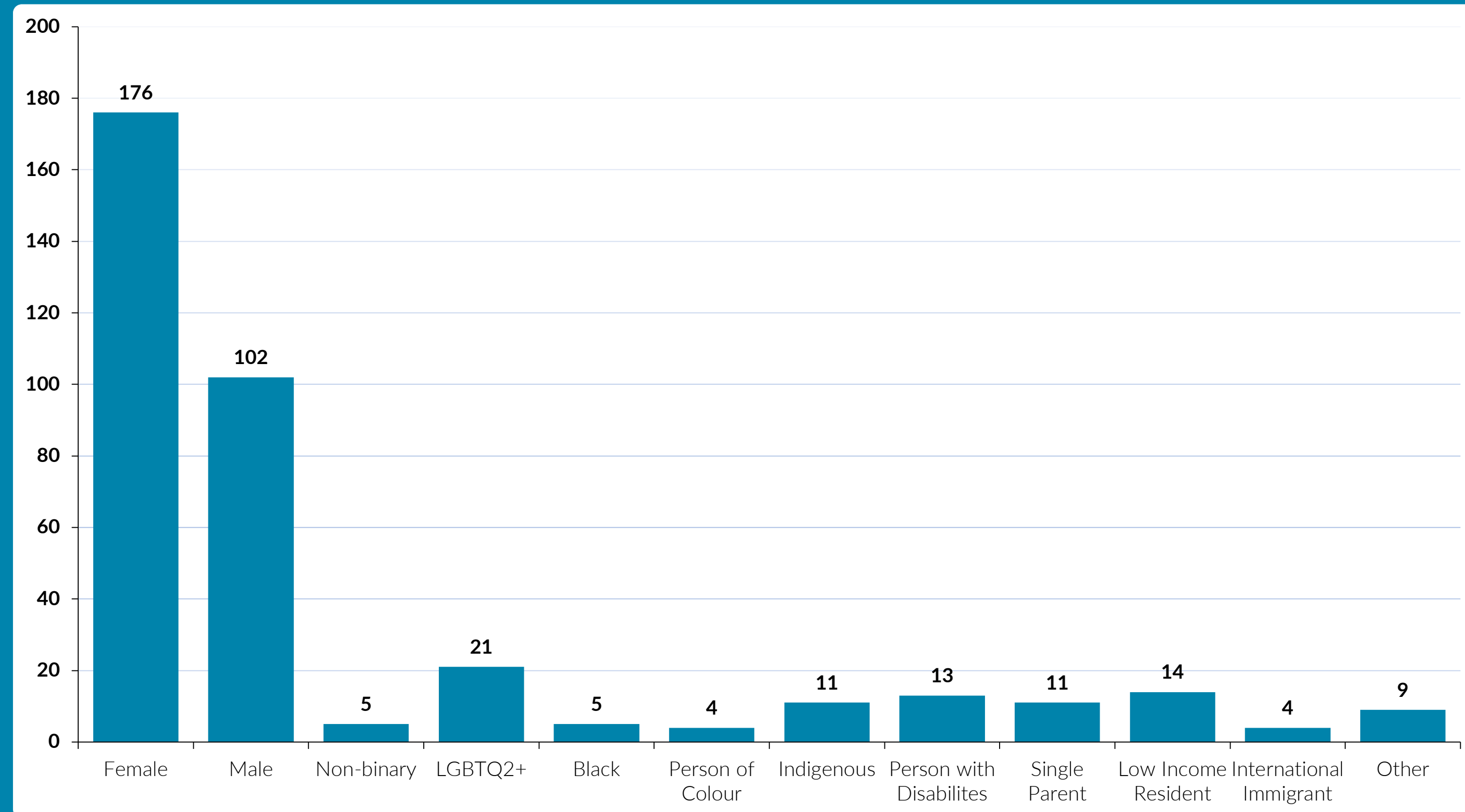
- The general public
- Children and youth
- Art Council of Ladysmith and District
- Cowichan Trails Stewardship Society, Ladysmith Chapter (CTSS)
- Ladysmith Chamber of Commerce
- Ladysmith and District Historical Society (LDHS)
- Ladysmith Downtown Business Association (LDBA)
- Ladysmith Family and Friends (LAFF)
- Ladysmith Maritime Society
- Ladysmith Resources Centre Association (LRCA)
- Nanaimo Airport



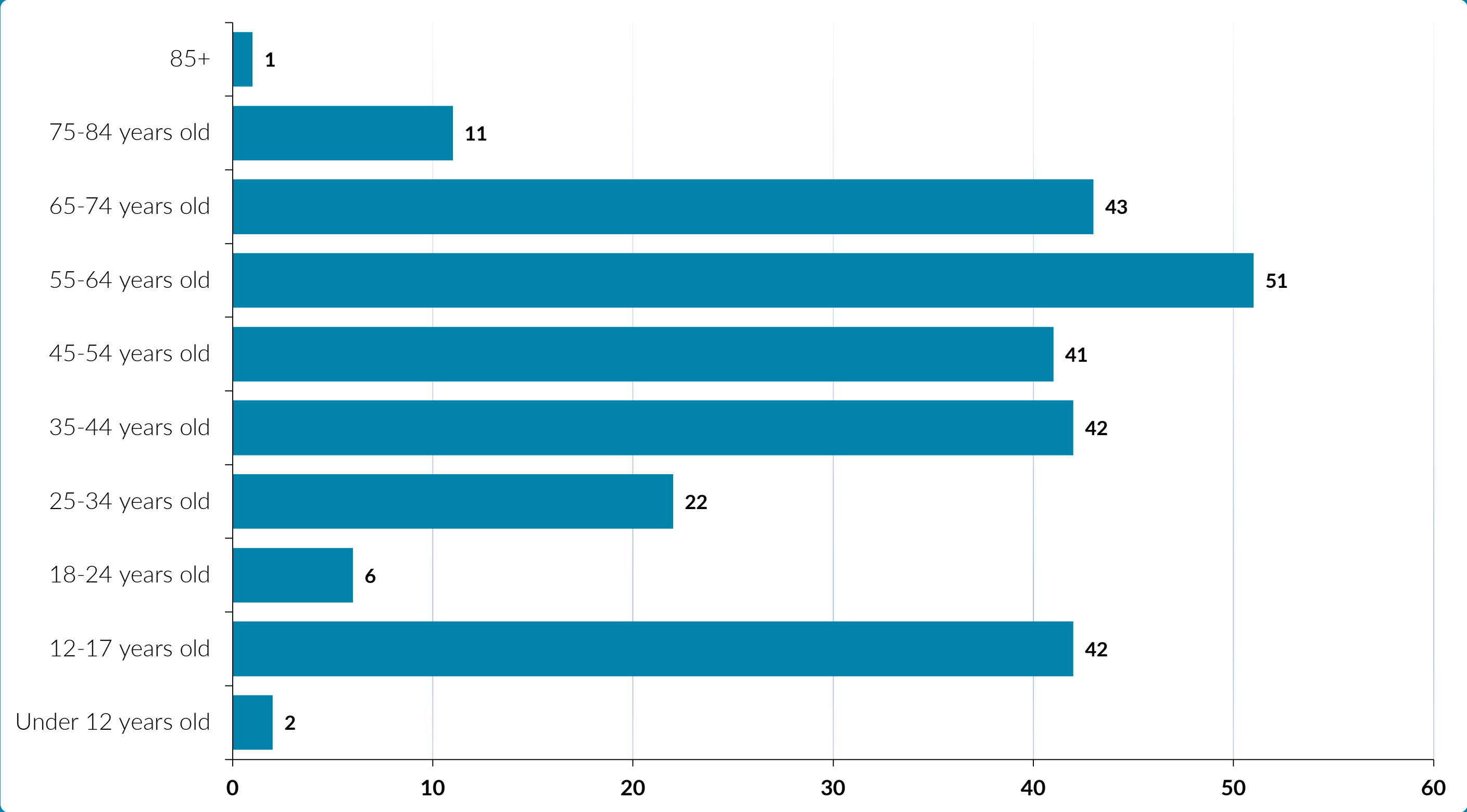
Relationship to Ladysmith



Identity Factors



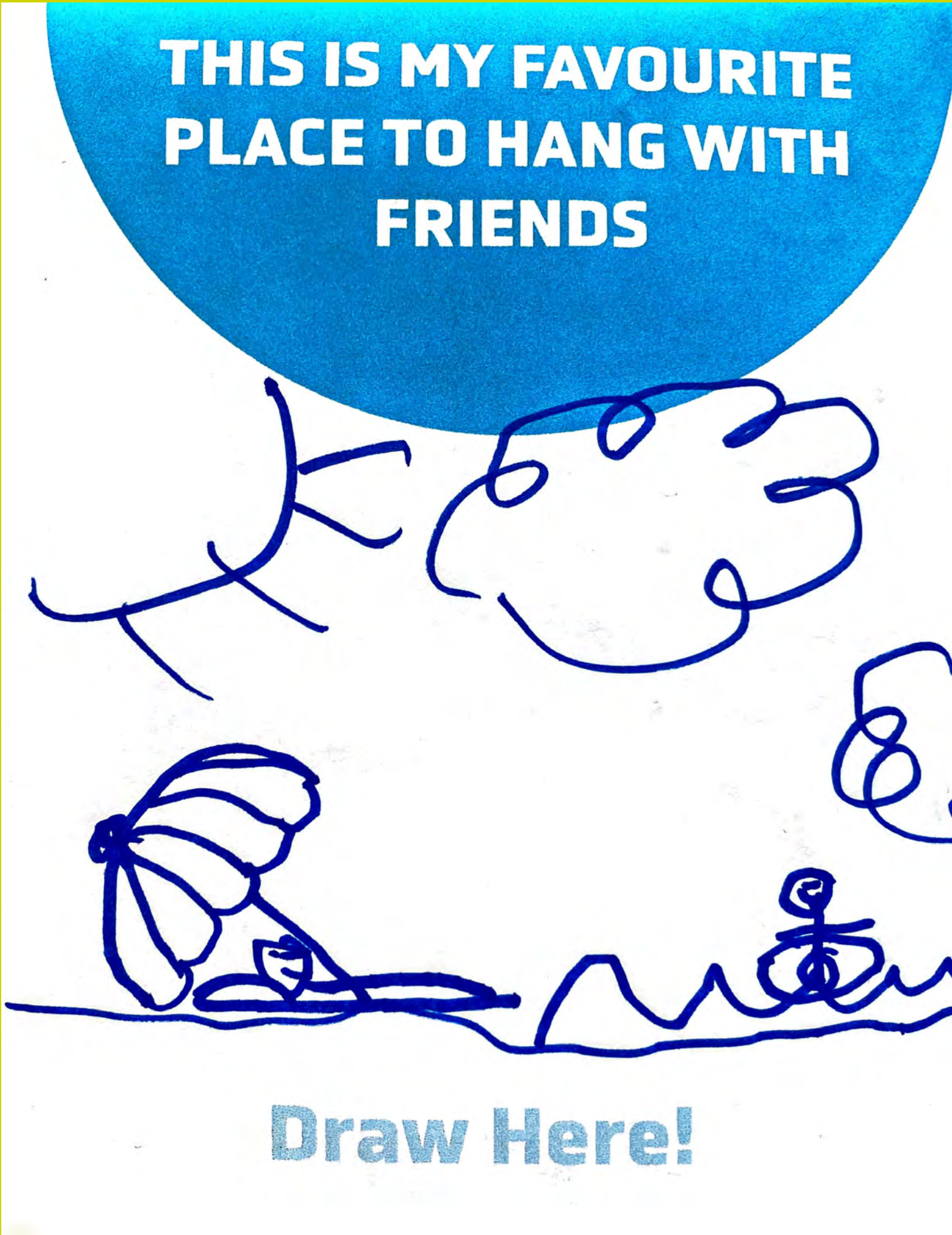
Age of Participants



Emerging Themes



The waterfront and surrounding natural areas are incredibly important.



Ladysmith's small town character and historic downtown are central to the Town's identity.



Walking and cycling infrastructure and connections must be improved.



Better connections and transportation choices between Ladysmith and neighbouring municipalities are needed.

“[Employers] can’t find staff because staff can’t find homes. And there is no transit to get here from the vicinity. You need a car to get into entry level jobs here.”

“A university if only 15 minutes away, but for kids to get there, they need a car.”



Ladysmith is caring and has a strong sense of community.

“The volunteers we have in our community – the community always steps up. Service clubs. Non profit organizations. Our business community. We can be really responsive to needs.”

“We are such a friendly community. Tourists can be here for six hours and they notice it. It’s palpable. It’s an authenticity that’s really important.”



People want to see climate action taken seriously.

My BIG idea for tackling the climate crisis head-on is...


EMPOWER PEOPLE TO FEEL LIKE THEY CAN MAKE A DIFFERENCE BY PROVIDING SUSTAINABLE OPTIONS- BIG AND SMALL! 😊

#LadysmithUnparalleled

LADYSMITH UNPARALLELED

2049

OUR VISION. OUR PLAN.





Housing affordability must be addressed immediately.



Ladysmith has been my home my whole life. I aspire to live, work and raise my family here too, but with no housing diversity, I fear I will need to move away from my home + family if I want to afford to own a home and start a family.

More supports are needed for people facing barriers.



Managing growth and development will help address many needs and community goals.



In their shoes...

Use this form to write your suggestions about how the Ladysmith Official Community Plan update can help meet the person's needs that are described on your card.

Name of person on card: CHANS

Your suggestions...

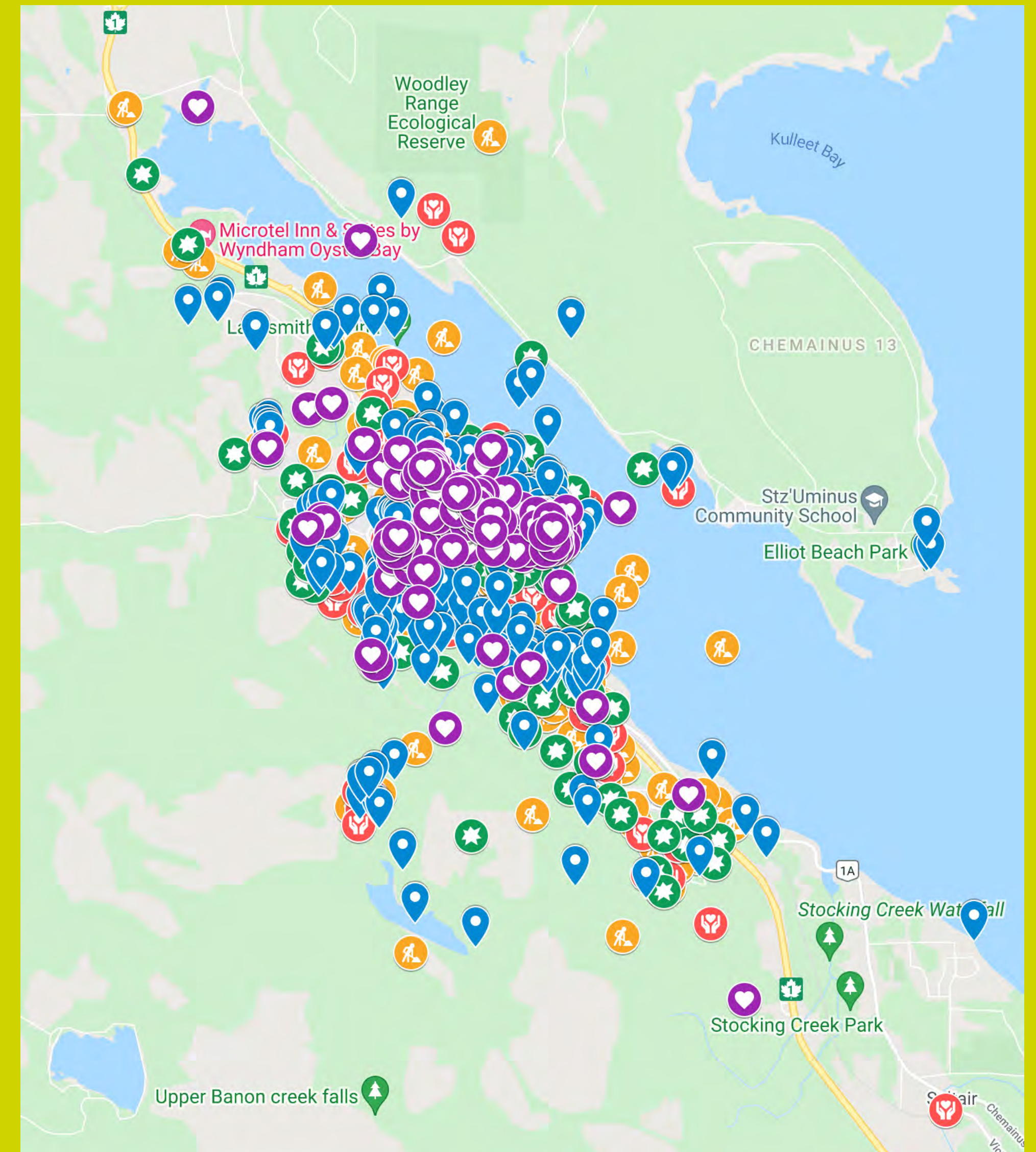
Allow suites & carriage homes. This allows the neighborhood to keep its character and allows families to have yards, pets neighborhoods.

Relationships between Ladysmith and Stz'uminus First Nation should continue to be strengthened.

“It’s just beautiful the way there is openness between two communities to work together and be as one. Lots of opportunity and desire to strengthen that even more.”



Ladysmith has many cherished places and destinations.



There is a desire for more things to do.



3 If you could improve one thing about your community, what would it be and why?

More activities for us teens to do. We can't sit in rooms because we get kicked out for being too loud and the only other place is the beach. It gets boring after a while, we need more.

The arts, culture, and heritage sector is valued and strong.

“My vision is to be able to walk up the stairs to the art gallery at the waterfront, and to hear people say that there is something really good about this place. I see... a gathering place with people who enjoy art, love art, or who can be convinced to love art.”



Next Steps

- Winter 2021-2022 – Creating a draft vision, goals, and growth scenarios
- Winter 2022 – Seeking community input on the draft vision, goals, and growth scenarios
- Winter-Spring 2022 – Drafting the OCP
- Early Summer – Seeking community input on the draft OCP

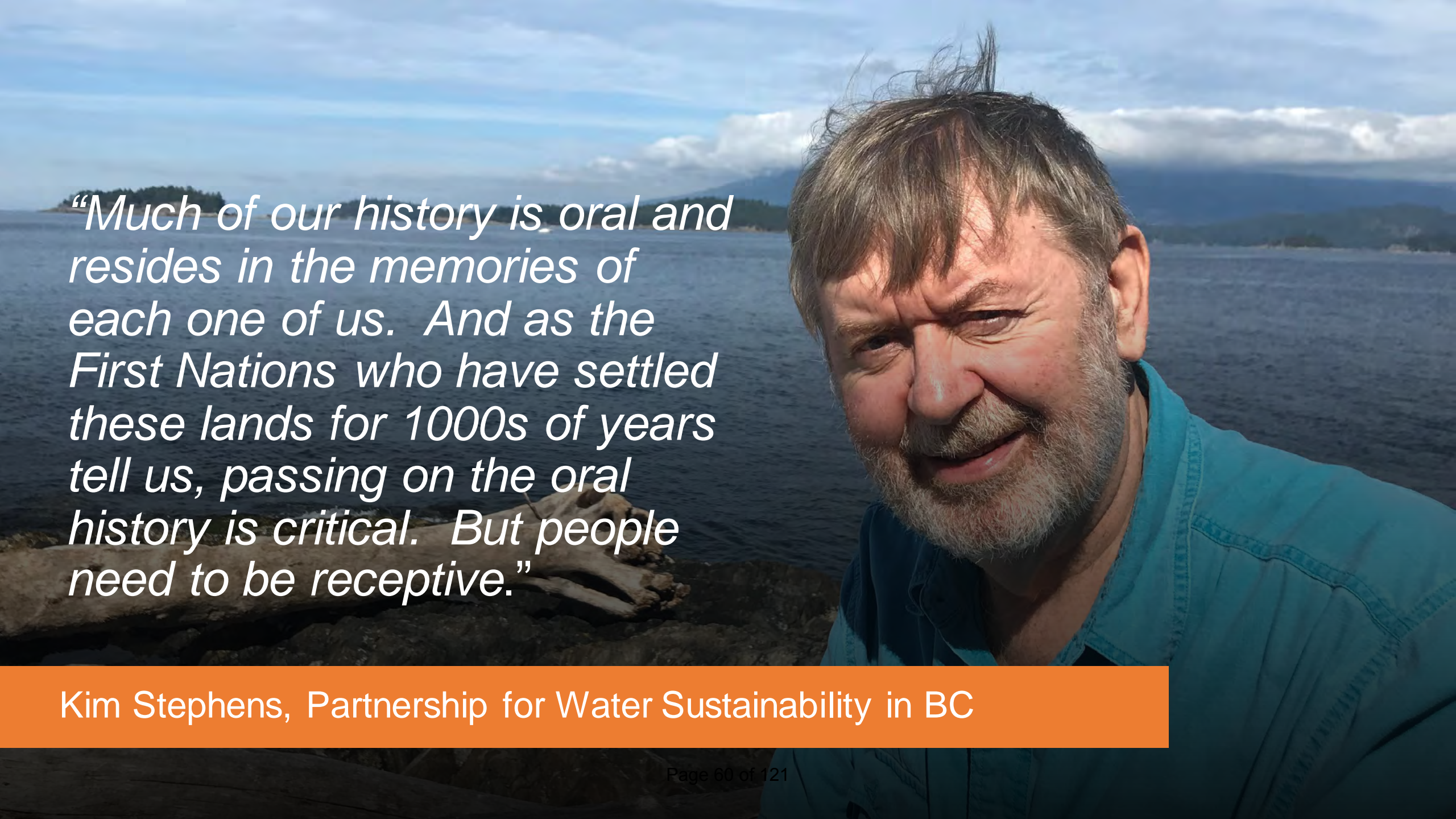


Thank you!




Regional Climate Change Adaptation and Risk Management Strategy

December 21, 2021



“Much of our history is oral and resides in the memories of each one of us. And as the First Nations who have settled these lands for 1000s of years tell us, passing on the oral history is critical. But people need to be receptive.”

Kim Stephens, Partnership for Water Sustainability in BC

A satellite map of North America, showing the United States and Mexico. The map is overlaid with a semi-transparent white box containing text. The background is a high-resolution satellite image showing terrain, water bodies, and cloud cover.

Our recent climate history

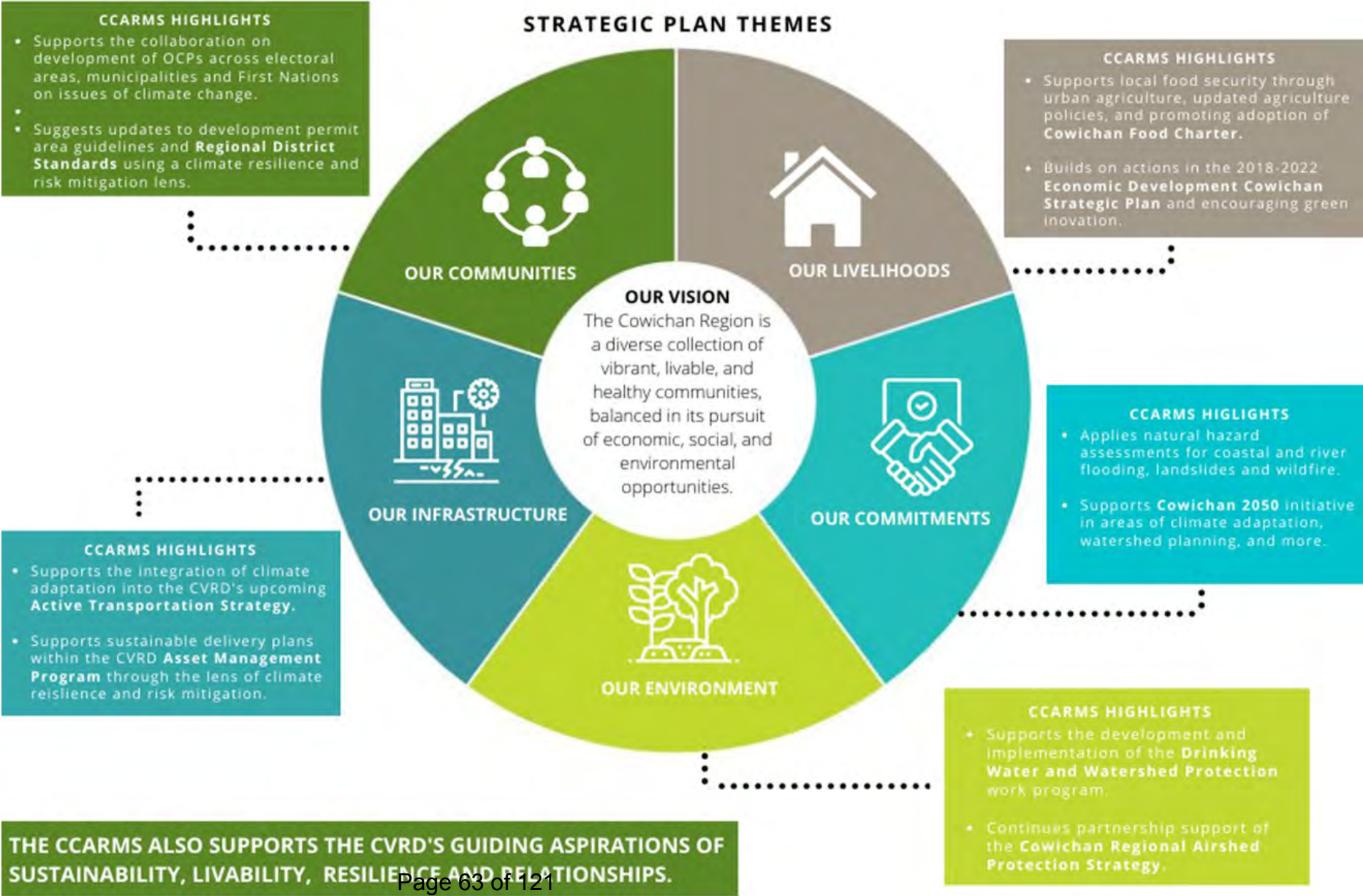
- **1987 – BC’s first wakeup call**
- **2003 – a “teachable year”**
 - a Roundtable for stewarding water resources in the Cowichan watershed was formed
- **2015 – Our new climate reality**
 - We begin developing our Regional Adaptation Strategy
- **2021 – The era of extremes is upon us**
 - We have the opportunity to begin formal implementation of our Regional Climate Change Adaptation Strategy

Background

- In the 2014 to 2018 Strategic Plan, the Board prioritized the establishment of a Climate Change Adaptation Strategy.
- The Board adopted the Strategy in February 2021 and directed the development of the implementation framework.
- As components of the strategy have been completed, they have been brought to the Board and Councils to provide a progress update.
- The update today is to share the Strategy framework and the next steps for completion this year.

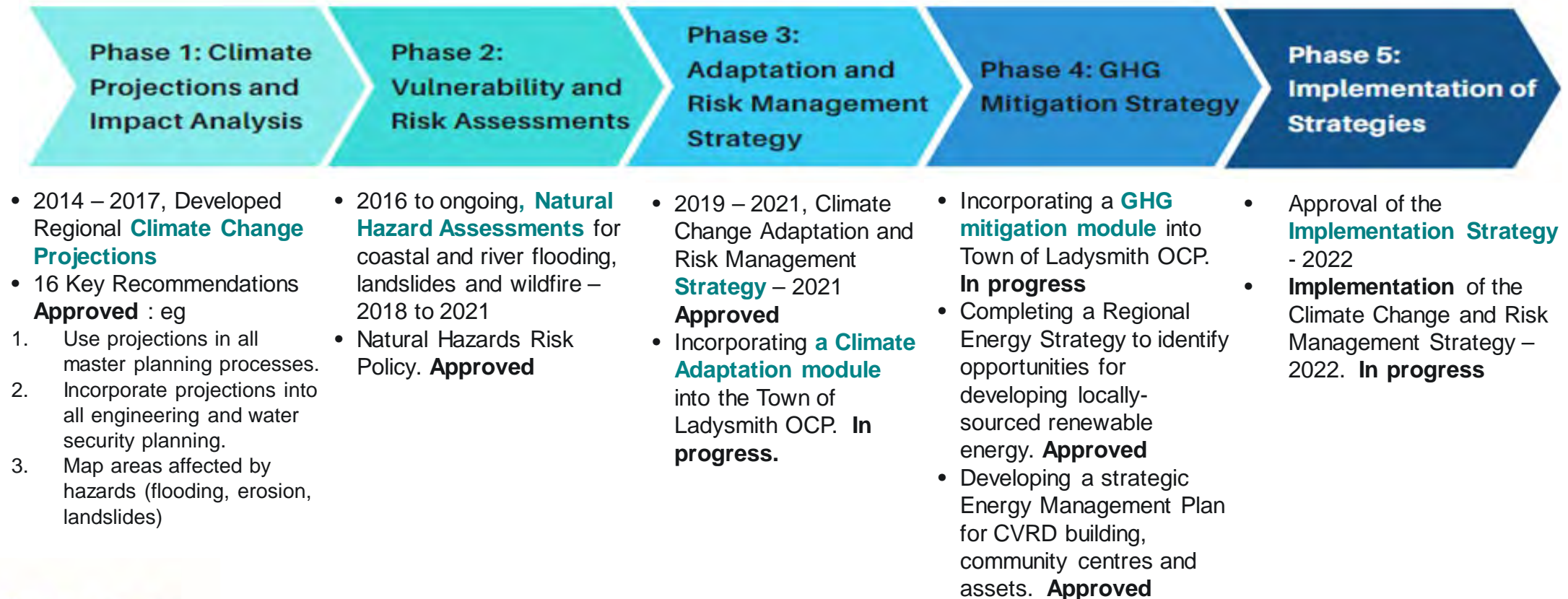
Relationship between Strategic Planning and the Adaptation Strategy

The Adaptation Strategy aligns with CVRD and municipal partner Strategic Plans and Climate Action Plans

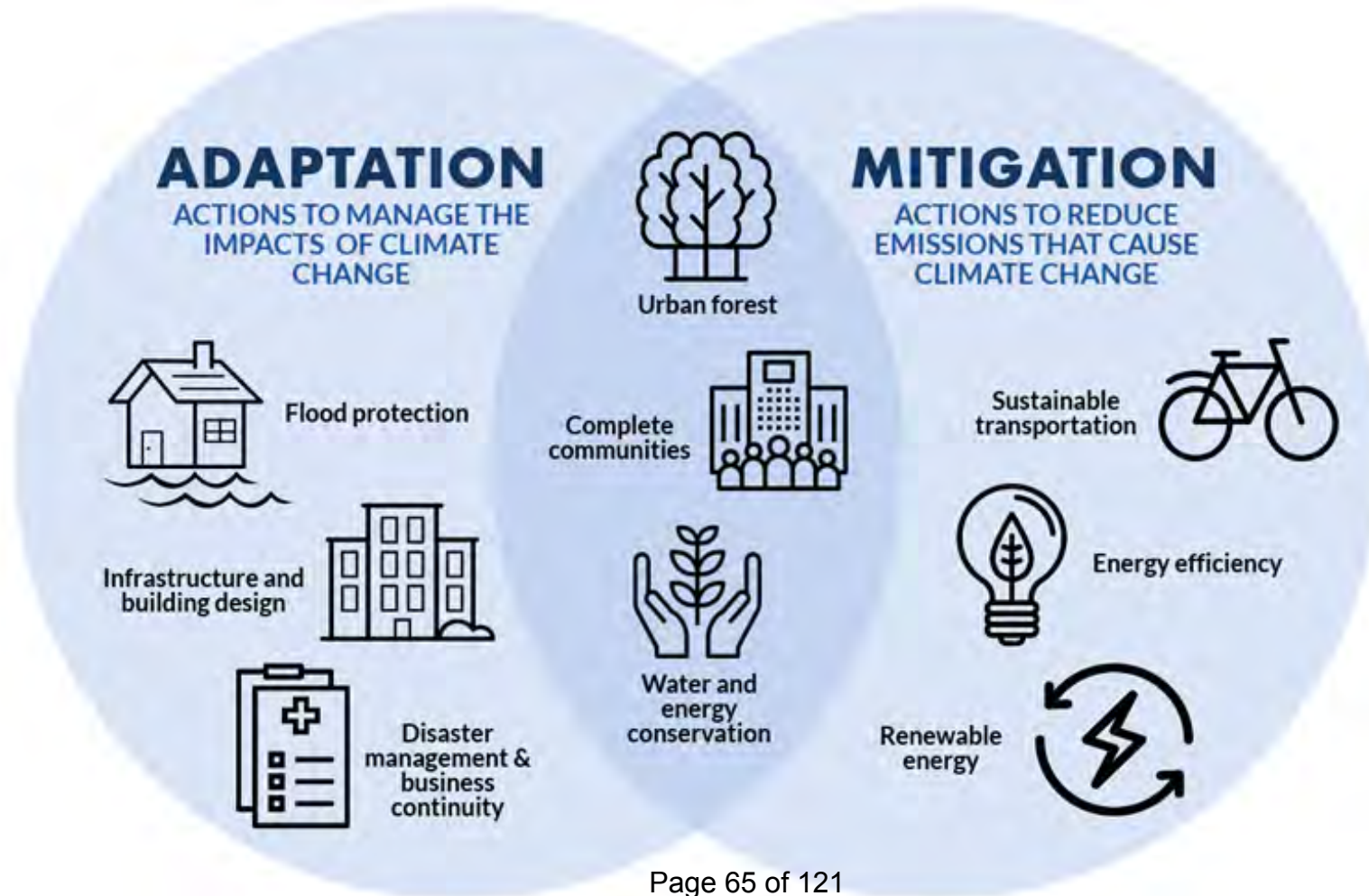


New Normal Cowichan

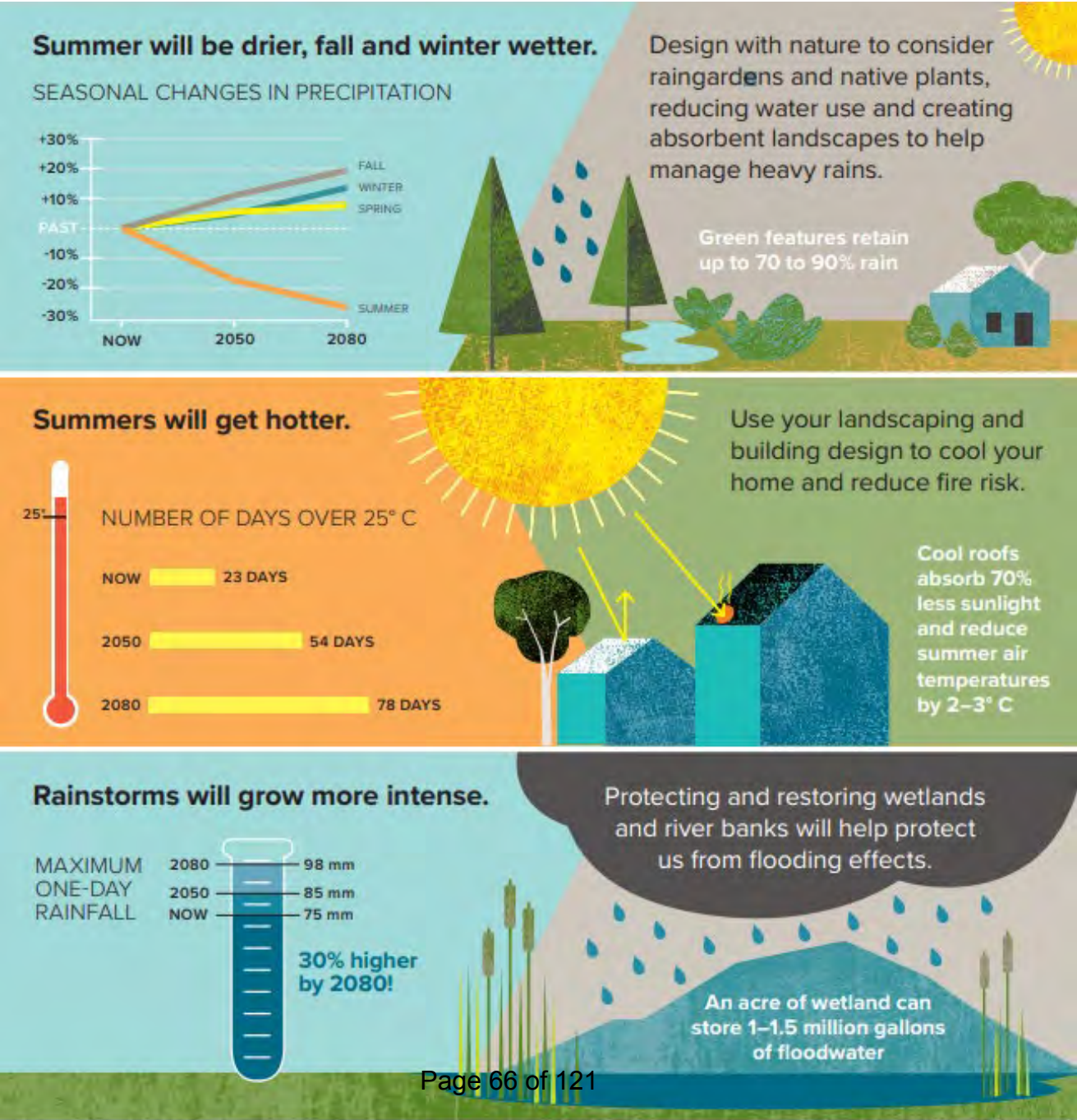
A multi-phased program to take action on climate adaptation



Adaptation vs Mitigation



Phase 1 Climate Projections



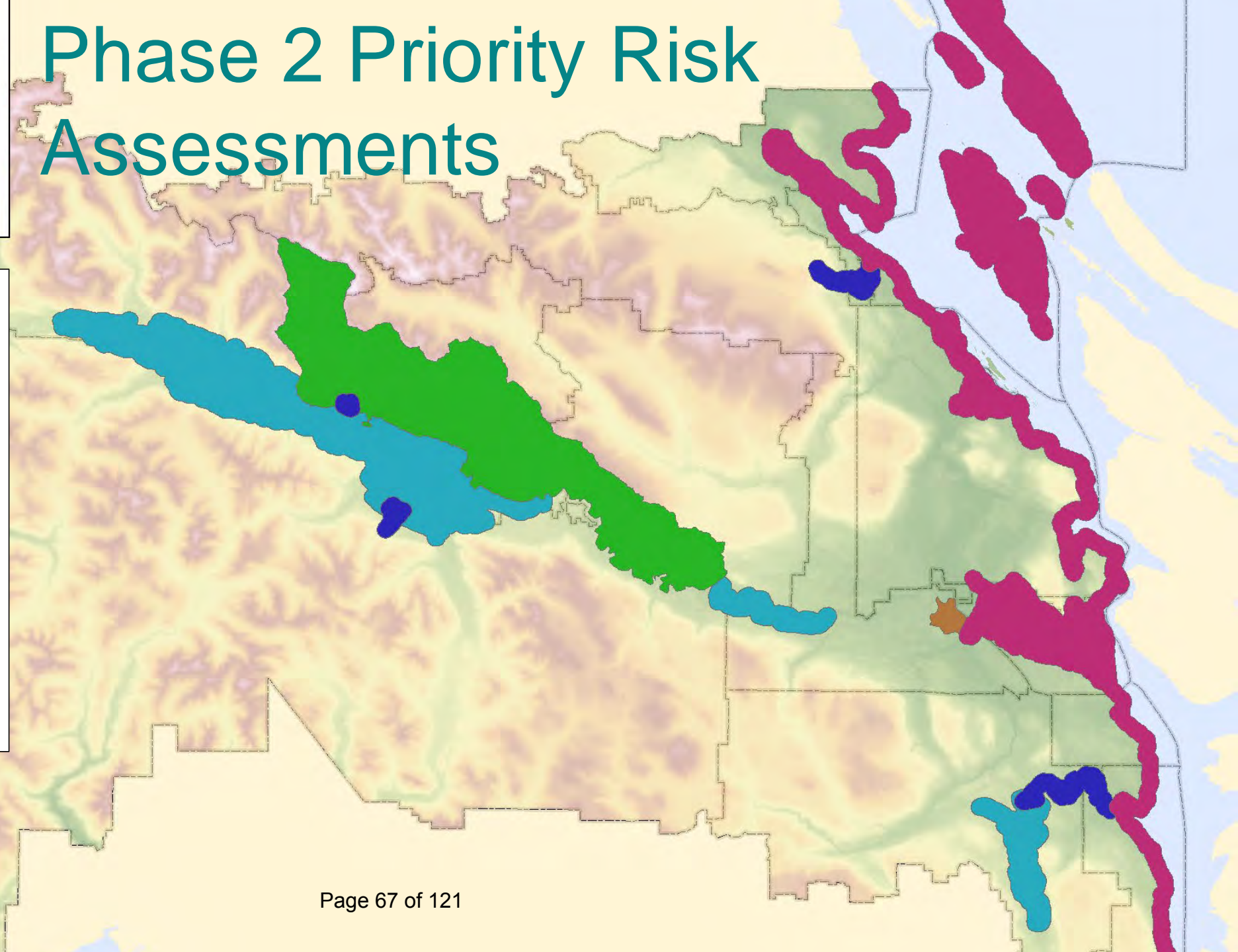
Risk Assessment Study Areas

- Coastal Sea Level Rise Risk Assessment
- Dam Safety Review
- Floodplain Risk Assessment
- Geohazard Risk Assessment
- Stormwater Management

Phase 2 Priority Risk Assessments

In addition:

- Wildfire hazard mapping completed for the region
- Chemainus Flood management strategy - ongoing
- regional landslide analysis - ongoing
- shoreline analysis in Saltair area - ongoing



Phase 3 Climate Adaptation Strategy

Approved by the Board in February 2021 – **10 year plan..**

Vision

Local government partners in the Cowichan region will take a proactive approach to prepare the social, economic, and environmental systems to the impacts of a changing climate.

5 Goals

- Build upon the regional partners' current work on climate change adaptation and extreme weather preparedness
- Increase the resilience of infrastructure, programs and services to the changing climate in the Cowichan Region
- Protect the health, prosperity, and well-being of residents, especially vulnerable populations, to climate extremes
- Protect, conserve, and improve terrestrial and aquatic ecosystem health from the impacts of climate change; and
- Improve the awareness, knowledge, skills and resources of government, citizens and business people regarding climate adaptation

45 Actions across 5 theme areas



Resilient Grey and Green Infrastructure

Improve the climate resiliency of the built environment in terms of its durability, functionality and sustainability.

- Promote **higher development standards** that reflect the best available climate information by updating by-laws, design requirements, development guidelines, and zoning regulations.
- Ensure **natural hazards** (e.g., erosion, flooding, sea-level rise, etc.) **are considered in land-use planning** to protect development from hazardous conditions and maintain the functionality of green and grey infrastructure.
- Update **official community plans** to direct future development, redevelopment, and infrastructure to areas with low hazards and environmental sensitivity.
- Applying the climate change **risk assessment** framework for regional **infrastructure**.
- Document climate change risk assessment results into **sustainable service delivery plans**.

Led by: Municipal partners, CVRD Asset Management, Water and Sewer System Services; Recycling and Solid Waste, Parks and Trail, Facilities.



Community Health and Emergency Management

Enhance protection of community members' health and safety from the risks associated with extreme weather impacts and changing climate conditions.

- Conduct hazard, risk and vulnerability assessment (**HRVA**) to integrate assessment flood, to develop an integrated assessment of wildfire, landslide and all natural hazards to assess risk to critical infrastructure, economy, social well being and public safety. The output will be controls to manage natural hazard risk.
- Establish a **monitoring system** for current and forecasted flood, drought, air quality and weather to understand potential community health impacts
- Establish community **clean air shelters** to mitigate the impact of wildfire smoke on vulnerable populations.

Led by: Municipal partners, CVRD Emergency Management, Environmental Services, facilities



Green Growth and Sustainable Development

Increase the adaptability of businesses and industry in a changing climate to enable a thriving regional economy.

- Develop **strategic agriculture plans** and promote direct farm marketing for areas in the region with a significant agricultural sector.
- Work with local businesses and tourism industries to explore adaptation options, business continuity planning, and diversification in the face of a changing climate.
- Develop a **Circular Economy Strategy/Action Plan**
- Develop long term **agriculture water sustainability plans**

Led by: Municipal partners, CVRD
Economic Development



Ecosystems and Bioregional Carrying Capacity

Preserve and enhance local biodiversity and the resilience of the natural environment and water resources throughout the region.

- Conduct ongoing research to update the **Environmentally Sensitive Areas (ESA) Strategy** and ensure climate change impacts are adequately addressed over the long-term.
- Continue to proactively **manage all regional local government owned forested areas** to increase forest resilience to wildfires, while considering biodiversity in its planning.
- Ensure the Drinking Water and Watershed Protection (DWWP) planning process develops long-term **Community Water Security Plans** and updates Watershed Plans with climate projections to reduce future conflicts over water use.
- Develop coordinated **watershed management plans** to assist and inform land use planning

Led by: Municipal partners, CVRD Community Planning, Environmental Services, Parks and Trails



Cross Cutting Actions

- **Establish relationships with subject matter experts** who conduct research on global climate change impacts, understand their effects on the region and identify communities most in need of intervention.
- **Communicate long-term climate change projections** and related research to community stakeholders, partners, and the public.
- Keep **up to date with best practices** for adaptation action, and work with local communities to inform climate impacts and equitable adaptation and risk mitigation planning.
- Conduct a **review** of OCPs and other **key service-level plans** and policies (Emergency Management Plan, Active Transportation Plan, etc.) to identify where climate adaptation objectives and actions can be integrated.
- Continue to **work with local First Nations** on the development of coordinated and collaborative climate adaption initiatives and programs.

Led by: All



Next steps for completion of the Climate Adaptation Strategy

- Presentations to municipal Councils – Nov to Dec 2021
 - Workshops with municipal staff to incorporate additional municipal actions and implementation steps into the Strategy – Nov to Dec 2021
- This is a continuation of the work that Town of Ladysmith staff and partnering organizations have been part of since 2014*
- Finalize Implementation Plan – Feb 2022
 - Present Strategy and Implementation Plan - Feb 2022

STAFF REPORT TO COUNCIL

Report Prepared By: Jake Belobaba, Director of Development Services
Report Reviewed By: Allison McCarrick, CAO
Meeting Date: December 21, 2021
File No: 3340-21-02
Re: Application to Rezone the Winter Shelter at 631 1st Avenue

RECOMMENDATION:

That Council:

1. Give first and second readings to "Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 38) 2021, No. 2076";
2. Direct staff to schedule and provide notice for a Public Hearing for Bylaw No. 2076 pursuant to section 464(1)(b) of the *Local Government Act*; and
3. Direct staff to refer Bylaw No. 2076 to the Ministry of Transportation following third reading of the bylaw pursuant to section 52 of the *Transportation Act*.

EXECUTIVE SUMMARY:

BC Housing has submitted an application to rezone the "Winter Shelter" located on the corner of Buller Street and 1st Avenue (631 1st Avenue) to allow the facility to remain in operation on a 24/7, year-round basis. Staff are recommending that Council consider Bylaw No. 2076, which would enact a site-specific zoning change allowing "Emergency Shelter" for a maximum of 10 people as a permitted use on the subject property. More information is contained in the June 1st report to Council, provided as Attachment E.

PREVIOUS COUNCIL DIRECTION:

Resolution	Date	Resolution Details
CS 2021-295	09/21/2021	FINAL RESOLUTION, AS AMENDED BY CS 2021-296 That Council: <ol style="list-style-type: none"> 1. Renew Temporary Use Permit 3340-21-01 until March 31, 2022; and 2. Direct BC Housing to provide a report to Council by January 31, 2022 outlining how they will meet condition 4(h) of the Temporary Use Permit 3340-21-01, which requires BC Housing to "ensure the safe and dignified relocation of the occupants".
CS 2021-179	06/01/2021	That Council renew Temporary Use Permit 3340-18-02.
CS 2021-048	02/16/2021	That Council approve the issuance of Temporary Use Permit 3340-21-01 for a temporary shelter to support persons experiencing homelessness for the duration of the COVID-19 pandemic, at 440 1st Avenue, Lot 6, Block 27, District Lot 56, Oyster District, Plan 703, PID: 008-550-981.
CS 2021-044	02/16/2021	That Council receive for information the Ladysmith Housing Needs Assessment Report.

CS 2018-512	17-Dec-18	That Council: <ol style="list-style-type: none"> 1. Issue Temporary Use Permit 3340-18-02 to allow a cold weather homeless shelter to be open every night from November 1 to March 31, located at 6311st Avenue (Parcel B, being a consolidation of Lots 9 & 10 see CA5603565, District Lot 56, Oyster District, Plan 703), for three years with one renewal, subject to conditions of the Temporary Use Permit; 2. Authorize the Mayor and Corporate Officer to sign Temporary Use Permit 3340-18-02.
CS 2018-448	19-Nov-18	FINAL RESOLUTION (AS AMENDED BY CS 2018-449) That Council: <ol style="list-style-type: none"> 1. Direct staff to proceed with statutory notice for Temporary Use Permit (TUP) application 3340-18-02 from the Ladysmith Resources Centre Association for 631 1st Avenue (to replace TUP 3340-16-01) and include the Ladysmith Chamber of Commerce and the Ladysmith Downtown Business Association in the statutory notice. 2. Require the applicant to host a neighbourhood information meeting regarding TUP application 3340-18-02 and provide a report regarding the public input received at the meeting.
CS 2016-278	15-Aug-16	That Council: <ol style="list-style-type: none"> 1. Issue Temporary Use Permit 3340-16-01 to allow for an extreme weather shelter to be located at 631 1st Avenue (Lot 9 and 10, Block 8, District Lot 56, Oyster District, Plan 703) for three years with one renewal, subject to the conditions of the Temporary Use Permit; and 2. Authorize the Mayor and Corporate Officer to sign Temporary Use Permit 3340-16-01.
CS 2016-226	20-Jun-16	That Council <ol style="list-style-type: none"> 1. Receive the application for a Temporary Use Permit (3340-16-01) to permit an extreme weather shelter to be located at 631 1st Avenue (Lot 9 and 10, Block 8, District Lot 56, Oyster District, Plan 703) and require the applicant to host a public information meeting and provide a report regarding the public input received at the meeting; 2. Following the public information meeting, direct staff to: <ol style="list-style-type: none"> 1) proceed with statutory notice for a Temporary Use Permit application (3340-16-01), and 2) report to Council with a permit containing conditions.

INTRODUCTION/BACKGROUND:

In August of 2016, a Temporary Use Permit (TUP) was issued to BC Housing for an “extreme weather shelter” at 631 1st Avenue. The purpose of the facility was to provide shelter on nights where weather conditions would threaten the health or safety of the homeless. In the 2017-2018 season, the facility provided shelter on 121 nights. In December of 2018, the Town issued another TUP allowing the site to be used as a “cold weather shelter” from November 1st to March 31st of each year.

The facility provides beds for a total of 10 people and services are available to both men and women. Support services, including showers, laundry and meals are also provided at the facility. The shelter operated on a seasonal basis since 2018 until the COVID-19 pandemic began. At the start of the pandemic in early 2020, the Province began to set up Emergency

Response Centers (ERC's) to support the homeless during the pandemic. The facility was deemed too small to operate as an ERC. Initially, a tenting facility was set up on the Town-owned property across the street, and in February of this year, a TUP was issued for an indoor ERC at the Islander Hotel site at 440 1st Avenue. The facility on the subject property has been used in a limited capacity since then but has seen little use since the Islander facility opened. More detail on the history and functions of the facility on the subject property is available in the June 1, 2021 report to Council.

BC Housing applied to renew the TUP for the subject property in March of this year. Staff brought forward a report to Council on June 1st recommending that Bylaw No. 2076 be given first and second reading and proceed for further consideration, with the option to renew the TUP instead. Bylaw No. 2076 did not receive any readings, with Council opting to renew the TUP, which will expire in three years (see resolution CS 2021-79).

The TUP for the Islander facility expired in September with the lifting of the Provincial State of Emergency for the COVID-19 pandemic¹. At its meeting held September 21, 2021, Council renewed the TUP for the Islander site for a term ending March 31, 2022. BC Housing was also directed to provide a report to Council by January 31, 2022 outlining how BC Housing would meet a condition of the TUP requiring the "safe and dignified relocation of the facility's occupants" (see resolution CS 2021-295). Following the Council decision, staff from the Ladysmith Resources Centre Association (LRCA), BC Housing and the Town began discussions regarding moving the facility at the Islander back to the subject property. The Islander facility then suffered significant damage from weather and other factors and is in the process of being shut down, with some services being moved to other locations.

SUBJECT PROPERTY

The subject property is owned by BC Housing and operated by the LRCA. The site is currently zoned Medium Density Residential (R-3), is 1,341 square meters in size and contains an existing apartment building. The building has three apartments on the ground floor which are accessed from Buller Street and 15 units on the second and third floors. The shelter facility is located on the ground floor and accessed from the parking area on the east side. Floor plans for the existing facility are provided in Attachment B.

The site is subject to "paramountcy" under section 14 of the *Interpretation Act*, which exempts lands owned by Provincial Government agencies from local land use bylaws. Neither a TUP nor appropriate zoning is required for the site; however, BC Housing is following the Town's land use regulations by submitting a rezoning application. BC Housing can "opt out" of Town regulations at any time. Paramountcy and its application to the subject property is described in greater detail in the June 1st, 2021 report to Council.

¹ The TUP automatically expired within 90 days of the lifting of the state of emergency, meaning the permit expired on Sept 29th.

[illegible]

BC Housing intends to expand the existing facility into a vacant unit on the ground floor fronting Buller Street. No external alterations to the building are planned. The expanded area will be used to create an additional sleeping area, allowing greater separation between the men's and women's sleeping areas, and greater social distancing. A list of proposed building modifications is provided in Attachment C. BC Housing is also seeking zoning that will allow a 24/7, year-round operation on the site. The capacity of the facility will remain at 10 people.

“... a housing facility located inside a permanent building and operated by a non-profit society or government agency which provides temporary emergency accommodation, meals and support services for individuals experiencing homelessness.”

Page 78 of 121

operation and the use could continue indefinitely. As a site-specific use, emergency shelter would only be a permitted use on the subject property. The proposed zoning amendments do not apply to the temporary facility at the Islander. If Council approves the proposed amendments, when the TUP for the ERC at the Islander is shut down, the facility on the subject property will be the only one of its kind in Ladysmith.

ANALYSIS/DISCUSSION:

A detailed analysis is provided in the June 1, 2021 report to Council (Attachment E). A summary of this analysis is below:

- The proposed shelter is consistent with OCP policies for the Downtown Core Land Use Designation which supports “services”, and “civic” uses. The location of the subject property is ideal as it is close to other service providers.
- The Town’s [Housing Needs Assessment](#), notes an unhoused population of approximately 17 in Ladysmith² and recognizes a long-understood housing principle that emergency shelters are part of the “spectrum” of housing needed to help the homeless transition to permanent housing and care.
- The success of this and other temporary facilities in Ladysmith has proven that the facility can operate on a permanent basis with negligible impacts.

Ladysmith needs a permanent emergency shelter. BC Housing has been operating shelters in the community without incident since 2016.

ALTERNATIVES:

Council can choose to:

1. Refer the file back to staff for further review as specified by Council.
2. Amend proposed Bylaw No. 2076 and give the bylaw first and second reading as amended.
3. Specify another alternative suitable to Council.

FINANCIAL IMPLICATIONS:

The facility is operated by a not-for-profit on behalf of the Provincial Government. There are no direct costs to the Town.

LEGAL IMPLICATIONS:

Paramountcy overrides all local government land use and development bylaws, including the proposed zoning amendments. This means BC Housing reserves the right to expand facilities on

² This includes 5 people counted as “absolutely homeless”, one person counted as “hidden homeless” and 11 people counted as “at-risk” of homelessness.

the site beyond what Council may permit, or continue operating the facility if Council elects to prohibit it.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

BC Housing held neighbourhood information meetings for the facility in 2016 and again in 2018. The August 15, 2016 and December 17, 2018 staff reports note attendees of the neighbourhood information meetings supported the facility. Neither report notes any major public concerns about the facility. Should Council give the proposed zoning amendment first and second reading, a public hearing is required pursuant to section 464 of the *Local Government Act*.

The Community Planning Advisory Committee (CPAC) reviewed the application on December 1, 2021 and passed the following resolution:

“It was moved, seconded and carried that the Community Planning Advisory Committee recommends that Council approve Zoning Bylaw Amendment application 3360-21-11 (631 1st Avenue).”

The draft CPAC minutes are provided in Attachment D.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The proposed amendments were referred to the Engineering, Fire and Building Departments for comment earlier this year. No concerns were raised from Engineering or Building. The Fire Department noted only minor concerns that will be addressed as part of scheduled fire inspections. A building permit is required for the proposed renovations.

Referrals regarding the shelter were sent to the RCMP in 2018 and again in May of 2021. The RCMP has had no concerns with either a temporary or permanent facility on the subject property. Consultation with the RCMP is described in greater detail in the June 1, 2021 staff report.

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 checked="" type="checkbox"/> Healthy Community | <input type="checkbox"/> Local, Diverse Economy |
| <input type="checkbox"/> Not Applicable | |

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

I approve the report and recommendations.

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

- A. Bylaw No. 2076
- B. Current floor plans
- C. Scope of Work
- D. CPAC Minutes
- E. June 1, 2021 Council report

TOWN OF LADYSMITH

BYLAW NO. 2076

A Bylaw to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860"

The Council of the Town of Ladysmith in open meeting assembled amends "Town of Ladysmith Zoning Bylaw 2014, No. 1860" as follows:

Amendments

1. By adding to section 4.1 'Interpretation', the following definition:

"EMERGENCY SHELTER: means a housing facility located inside a permanent building and operated by a non-profit society or government agency which provides temporary emergency accommodation, meals and support services for individuals experiencing homelessness."; and

2. By adding to Section 10.10(8) "Site Specific Regulations" the following:

- c) Despite section 10.10(1) *Emergency Shelter* for up to 10 people, is a permitted use on Parcel B (being a consolidation of Lots 9 & 10 see CA5603565) District Lot 56, Oyster District, Plan 703. PID 029-974-640 (631 1st Avenue).

Citation

3. This Bylaw may be cited for all purposes as "Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 38) 2021, No. 2076".

READ A FIRST TIME on the day of , 2021

READ A SECOND TIME on the day of , 2021

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

on the day of , 2021

READ A THIRD TIME on the day of , 2021

APPROVED by the Ministry of Transportation & Infrastructure

on the day of , 2021

ADOPTED on the day of ,

Mayor (A. Stone)

Corporate Officer (D. Smith)

AYPQ ARCHITECTURE

13270 Doole Road
 Ladysmith, British Columbia
 Canada V9G 1G6
 tel 250 245-7555 fax 7565
 www.aypqarchitecture.com

Owner
 BC Housing Managing Commission
 Contact: Richard Dyble, Project Technologist – VI Region
 201-3440 Douglas Street, Victoria, B.C. V8Z 3L5
 P.250.978.2928 M.250.208.6575

Architectural
 AYPQ Architecture
 Contact: Angela Quek, Architect AIBC
 13270 Doole Road, Ladysmith, BC V9G 1G6
 P.250.245.7555 F.250.245.7565

Structural
 Herold Engineering Ltd.
 Contact: Robin Chapman, P.Eng
 3701 Shenton Rd, Nanaimo, BC V9T 2H1
 P.250) 751-8558

Mechanical
 Avalon Mechanical Consulting Ltd.
 Contact: Tim Robertson, P.Eng
 #4 – 4488 Wellington Road, Nanaimo, BC V9T 2H3
 P.250.585.2180 F.250.384.4134

Electrical
 RB Engineering Ltd.
 Contact: Les Brown
 1850 Northfield Rd, Nanaimo, BC V9S 3B3
 P.250.756.4444



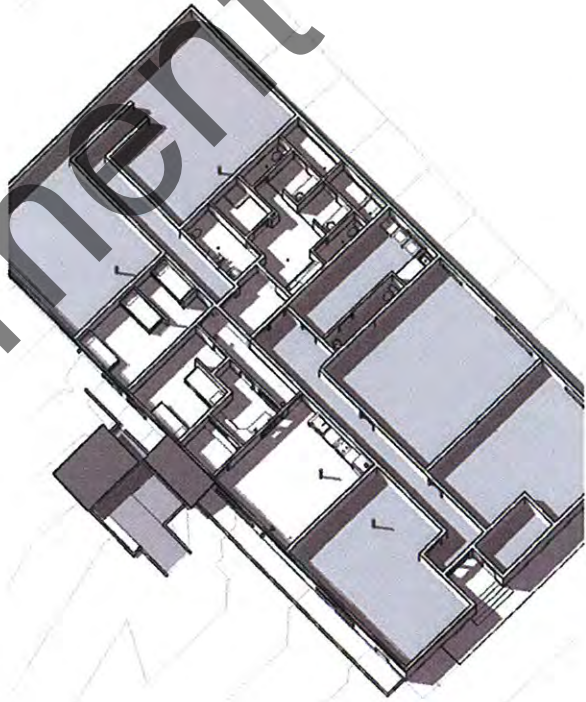
16.09.21 Issued for CM Kinetic Construction
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 16.09.21 Issued for Development Permit
 16.08.18 LRC Review

DRAWING LIST

- Architectural**
 A1 Existing
 A2 Site Plan
 A3 Floor Plan
 A4 Elevations
 A5 Details
 A6 HC Washroom
 A7 Washrooms
 A8 Laundry-Kitchen-Misc
 A9 Cart Storage Shed
 A10 Schedules

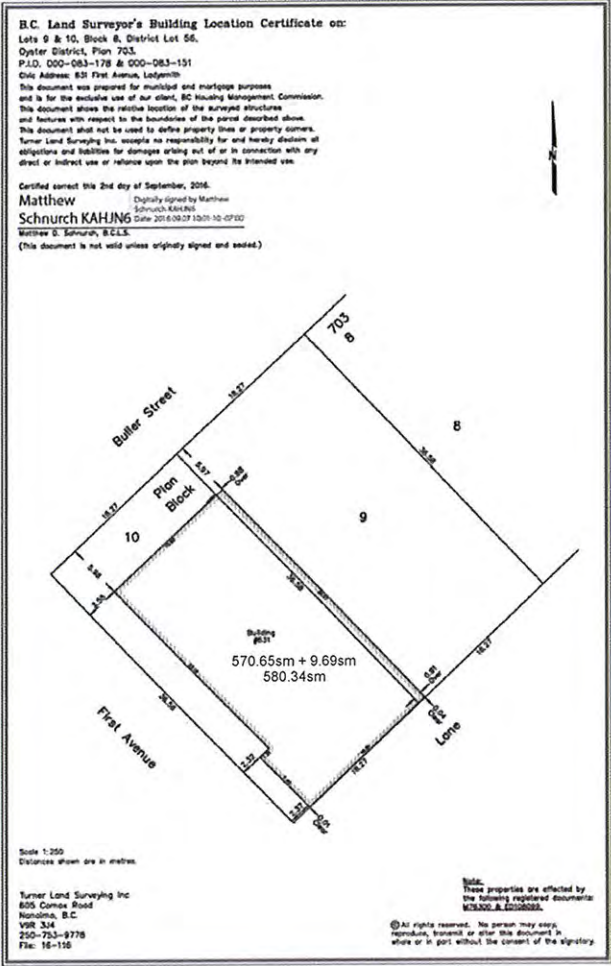
Mechanical
 TBA

Electrical
 E1 Basement Level
 Proposed Electrical Layout



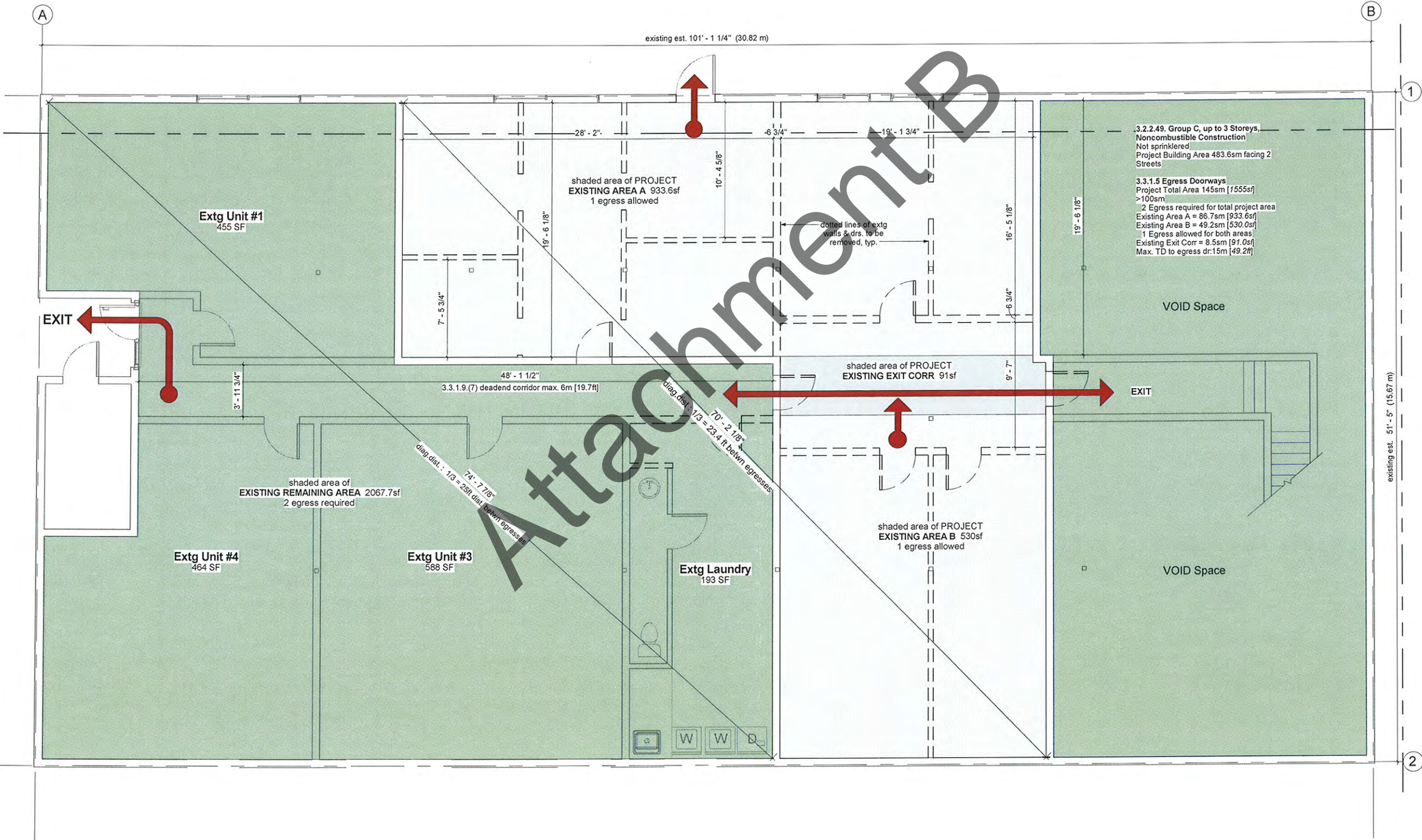
Extreme Weather Response Shelter

BC Housing Managing Commission
 631 First Avenue, Ladysmith BC



PROJECT DATA

Legal Description: Lots 9 & 10, Block 8, DL 56, Oyster District, Pln 703 PID 000-083-178 & 000-083-151	PROJECT Renovation of an existing space and a new exterior entry canopy/cart storage	Town of Ladysmith Zoning: R3 Residential
Civic Address: 631 First Avenue, Ladysmith BC	Floor Area: Main Level 1554.6sf (144.48sm)	Lot Area: 2 lots Combined 14,382.2sf (1336.63sm)
Building Area: 580.34sm Total Units	Floor Elevations: Drop Ceiling 7'-6" (2.3m) Fir-Fir approx. 11'-0" (3.4m)	BCBC2012 Major Occupancy 3.2.2.52, Group C, up to 3 Storeys Not Sprinklered - 45m FRR Load bearing



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REV	Date	Description

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AYPQ ARCHITECTURE
13075 Duane Road
Ladysmith, British Columbia
Canada V9C 1G4
tel 250.947.7555 fax 7545
www.ayparchitecture.com

**Extreme Weather
Response Shelter**
631 First Avenue
Ladysmith BC
Project number: AQ1614

Existing

Scale
1/8" = 1'-0"

Date [yy.mm.dd]
16.07.25

Drawn by
AYPQ

Checked by
Checker

Print Date
2016-09-21
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A1

BULLER STREET



FIRST AVENUE

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www.angelayipqurk.com

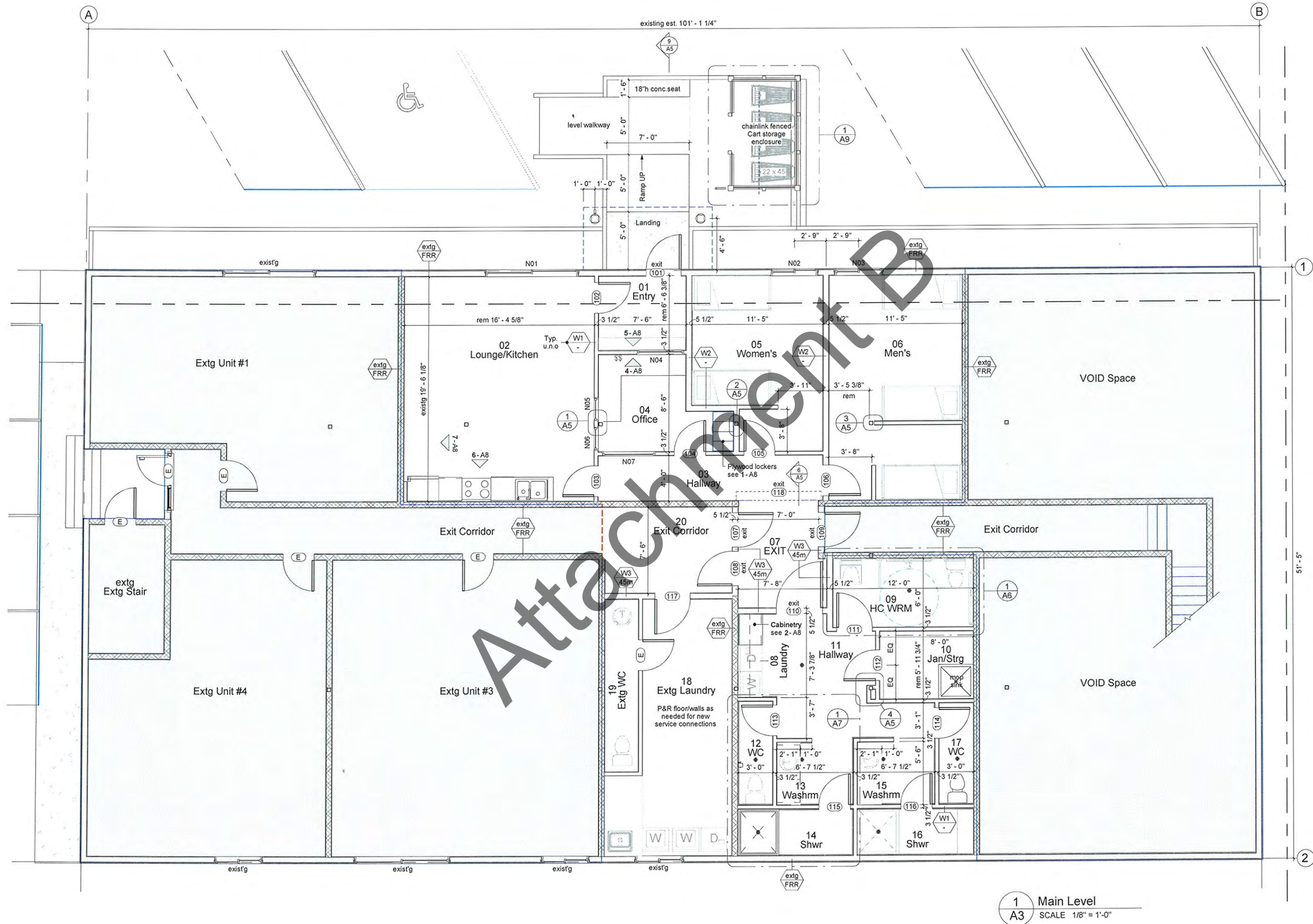
Extreme Weather
Response Shelter

631 First Avenue
Ladysmith BC

Project number: AQ1614

Site Plan

Scale 3/8" = 1'-0"	
Date: [yy-mm-dd] 07/30/16	
Drawn by AYPQ	
Checked by -	
Print Date 2016-09-21 3:50:43 PM	Drawing no A2



1 Main Level
A3 SCALE 1/8" = 1'-0"

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www.aypqarchitecture.com

Extreme Weather Response Shelter

631 First Avenue
Ladysmith BC

Project number AQ1614

Floor Plan

Scale 1/8" = 1'-0"

Date 16.04.26

Drawn by AYPQ

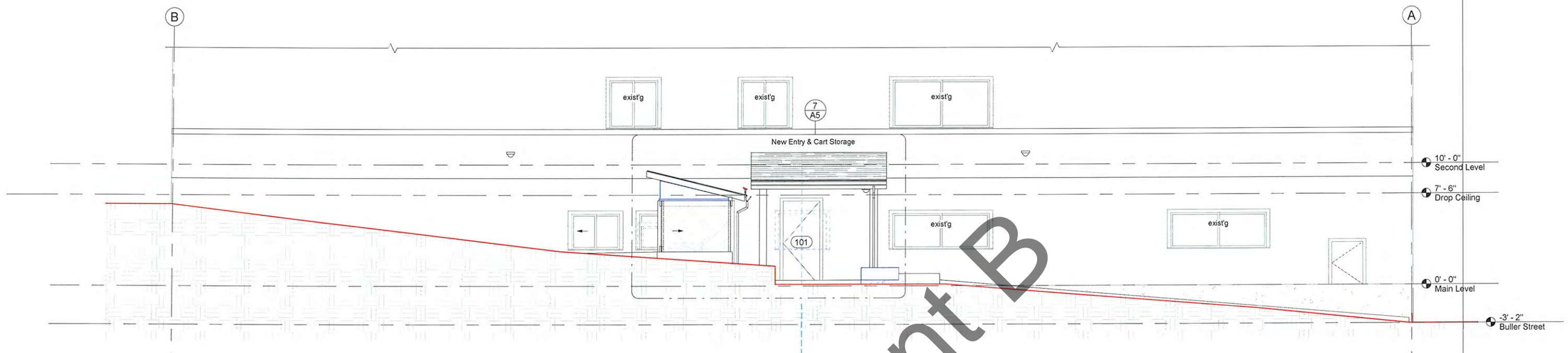
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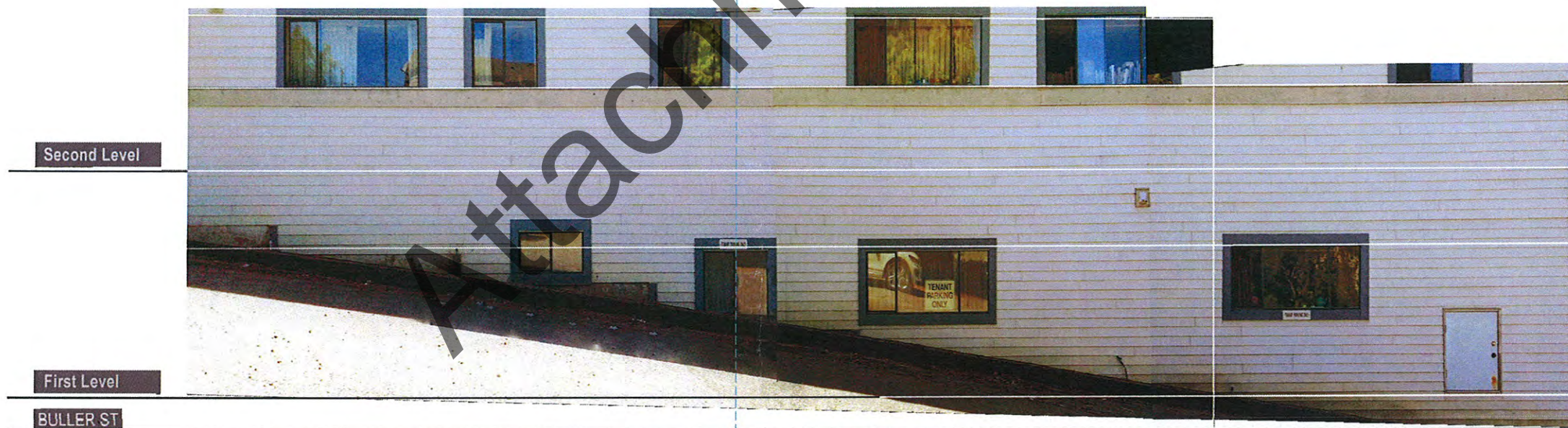


Drawing no

A3



1 Entry Elevation
A4 SCALE 1/8" = 1'-0"



2 Elevation-Existing Photo
A4 SCALE 1/8" = 1'-0"

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16.09.21 Issued for Development Permit

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www.aypqa.com

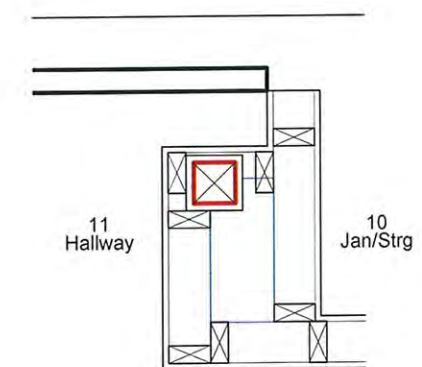
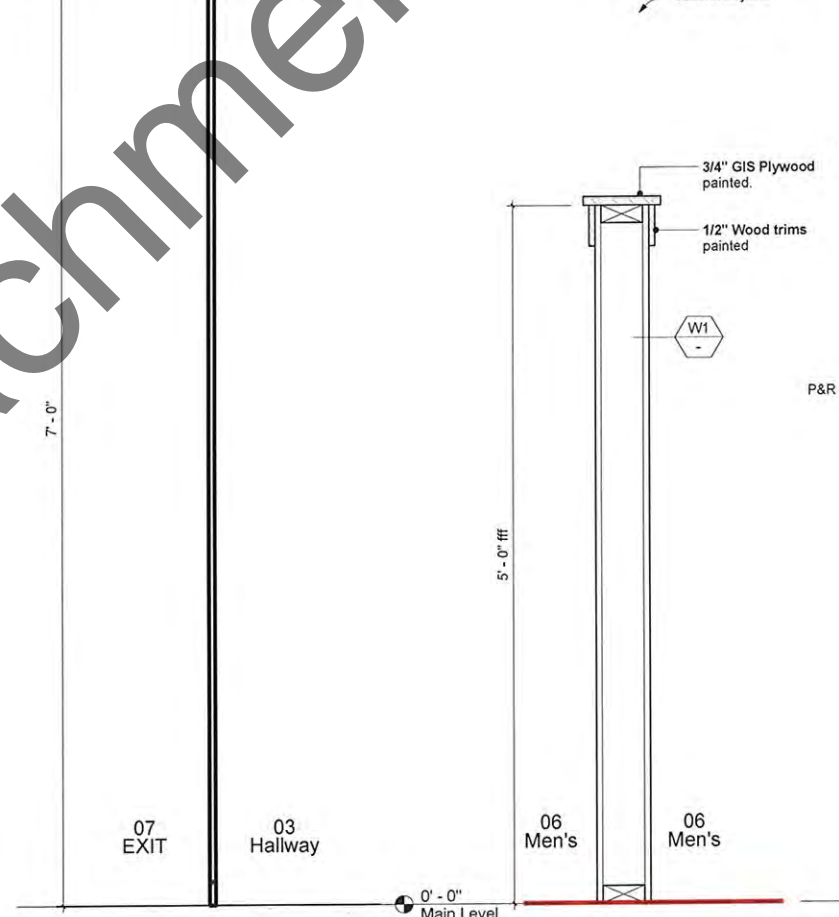
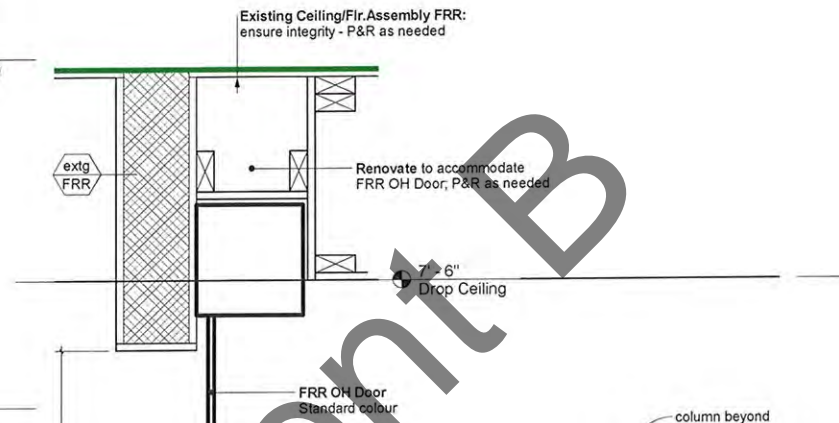
**Extreme Weather
Response Shelter**

631 First Avenue
Ladysmith BC


Project number: AQ1614

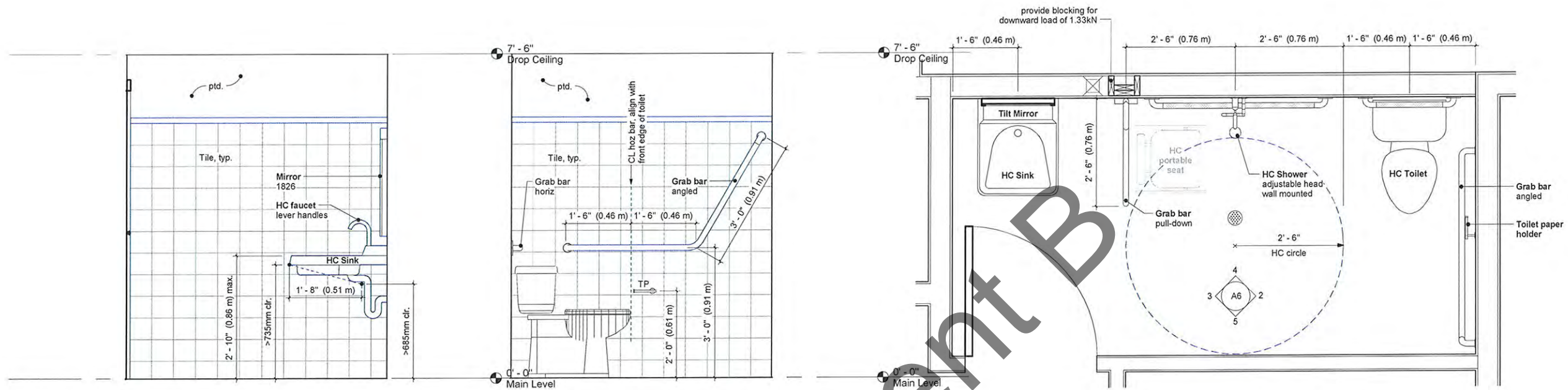
Elevations

Scale 1/8" = 1'-0"	
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Drawn by YBD	
Checked by AQ	
Print Date 2016-09-21 3:51:05 PM	Drawing no A4



4 Extg Column @ Rm#10/11
A5 SCALE 3/4" = 1'-0"

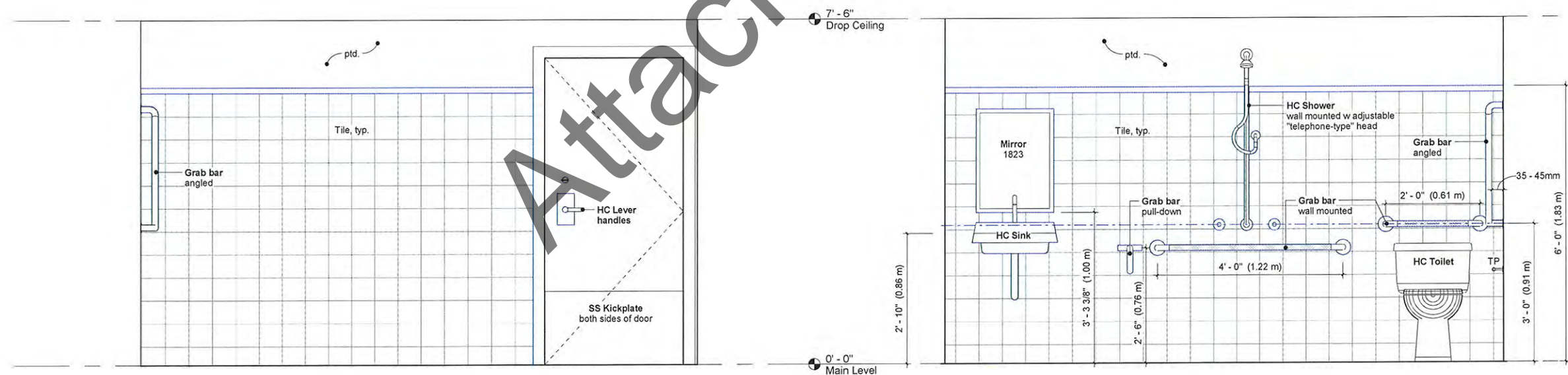
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Date 10/01/16	
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Checked by Checker	
Print Date 2016-09-21 3:51:06 PM	Drawing no A5



3 HC Washroom - W Elevation
A6 SCALE 3/8" = 1'-0"

2 HC Washroom - E Elevation
A6 SCALE 3/8" = 1'-0"

1 HC Washroom - Plan
A6 SCALE 3/8" = 1'-0"



5 HC Washroom - S Elevation
A6 SCALE 3/8" = 1'-0"

4 HC Washroom - N Elevation
A6 SCALE 3/8" = 1'-0"

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16.09.21 Issued for Development Permit

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3	16.09.21	Issued for Development Permit

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AYPQ ARCHITECTURE

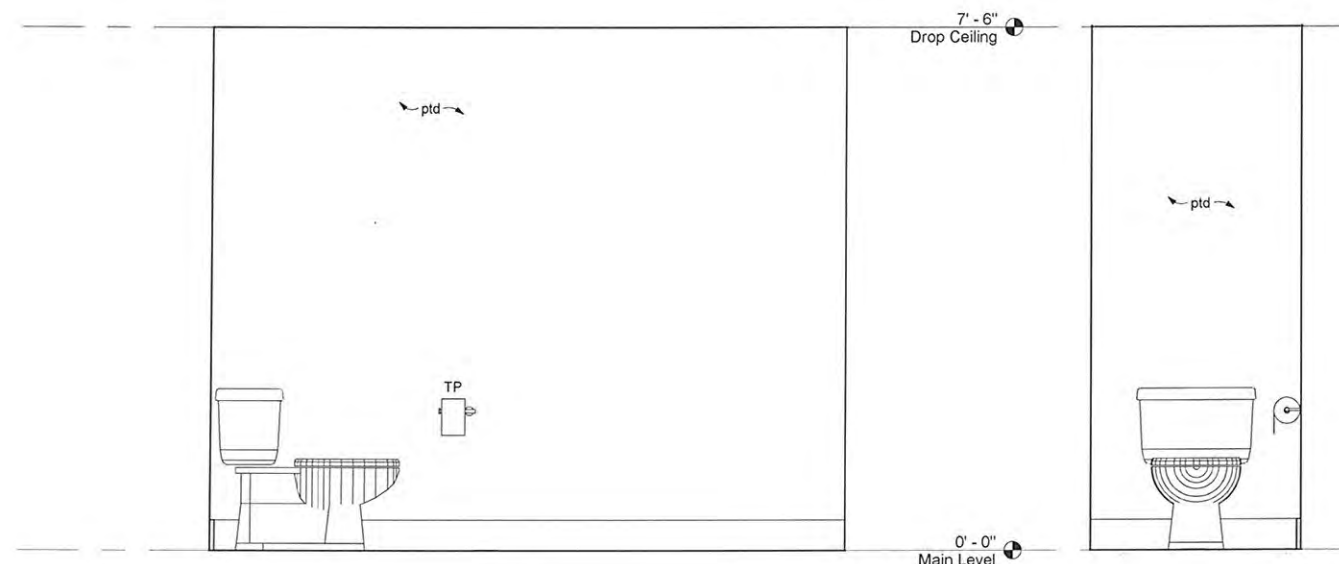
1879 Duke Road
Ladysmith, British Columbia
Canada V0G 1G6
tel 250.465.7545 fax 250.465.7546
www.aypquitecture.com

Extreme Weather
Response Shelter
631 First Avenue
Ladysmith BC

Project number AQ1614

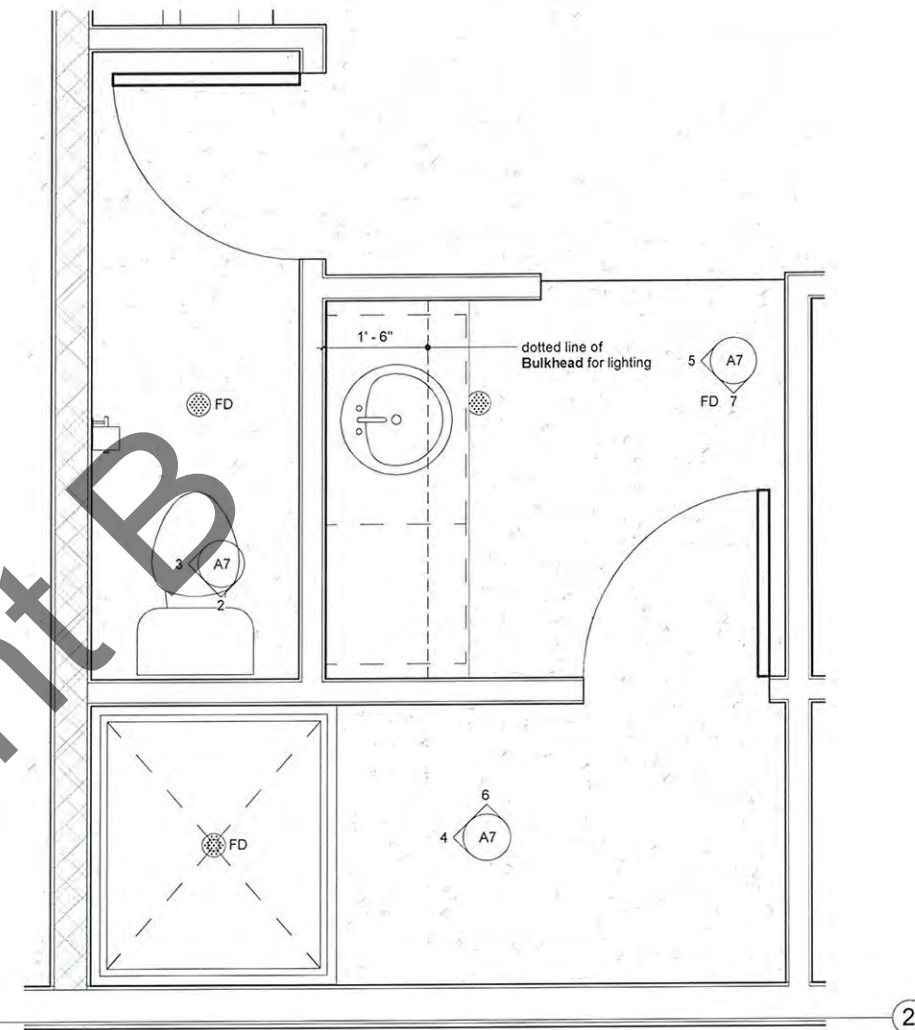
HC Washroom

Scale 3/8" = 1'-0"	
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Drawn by Author	
Checked by Checker	
Print Date 2016-09-21 3:51:10 PM	Drawing no A6

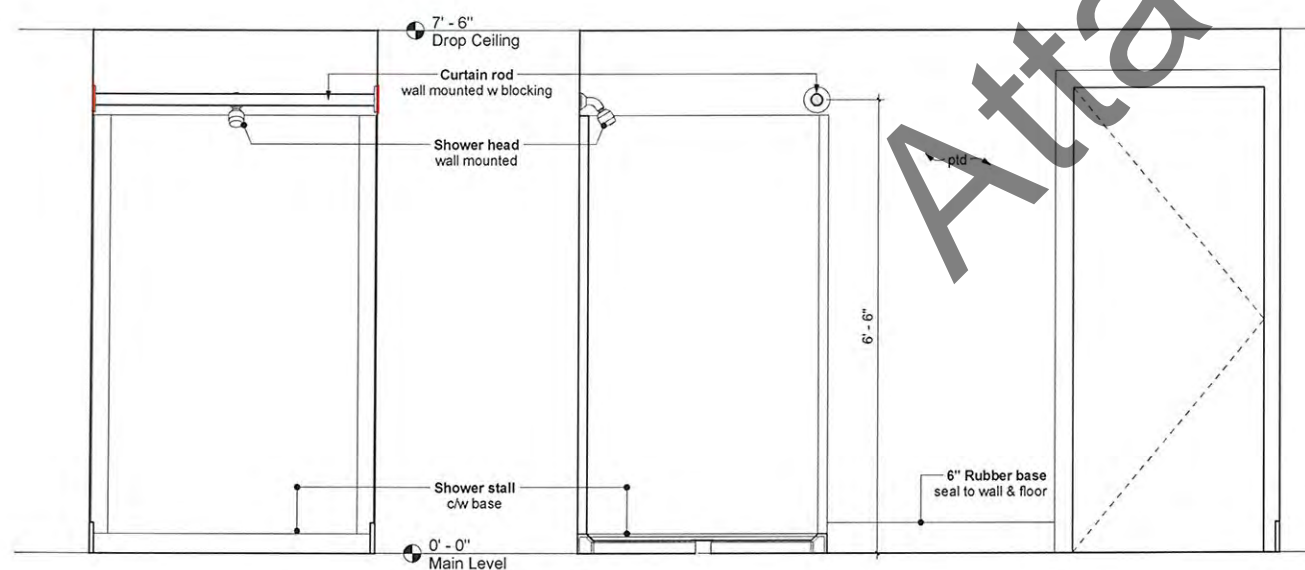


3 Toilet Rm - W Elevation
A7 SCALE 3/8" = 1'-0"

2 Toilet Rm - S Elevation
A7 SCALE 3/8" = 1'-0"

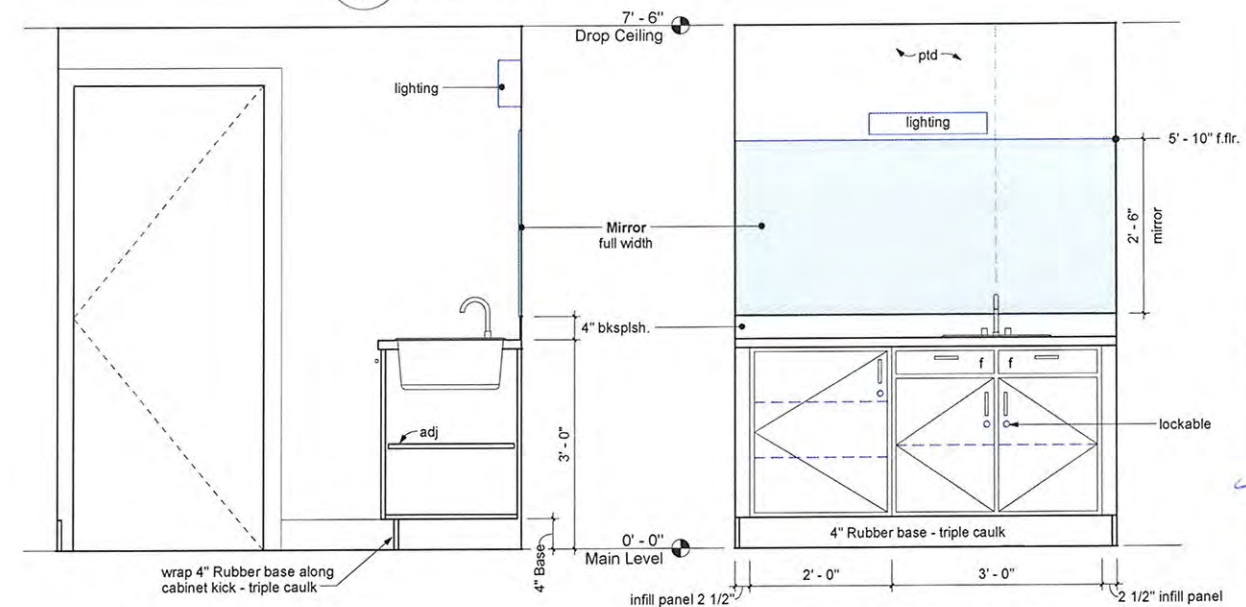


1 Washrooms
A7 SCALE 3/8" = 1'-0"



4 Shower - W Elevation
A7 SCALE 3/8" = 1'-0"

6 Shower - N Elevation
A7 SCALE 3/8" = 1'-0"



7 Wash Sink - S Elevation
A7 SCALE 3/8" = 1'-0"

5 Wash Sink - W-Elevation
A7 SCALE 3/8" = 1'-0"

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REV	Date	Description
1	16.09.21	Issued for Development Permit

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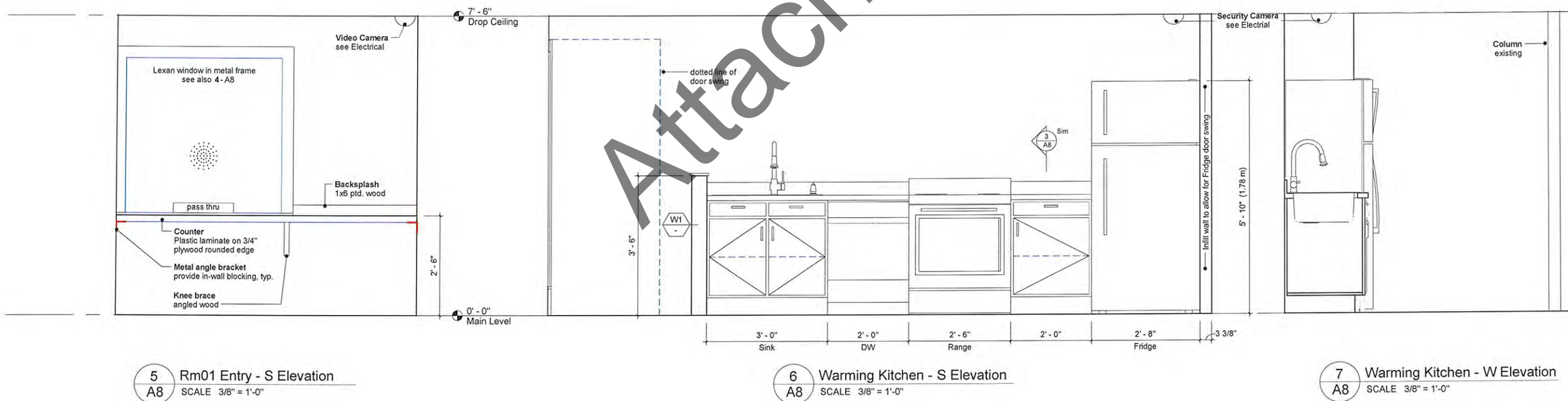
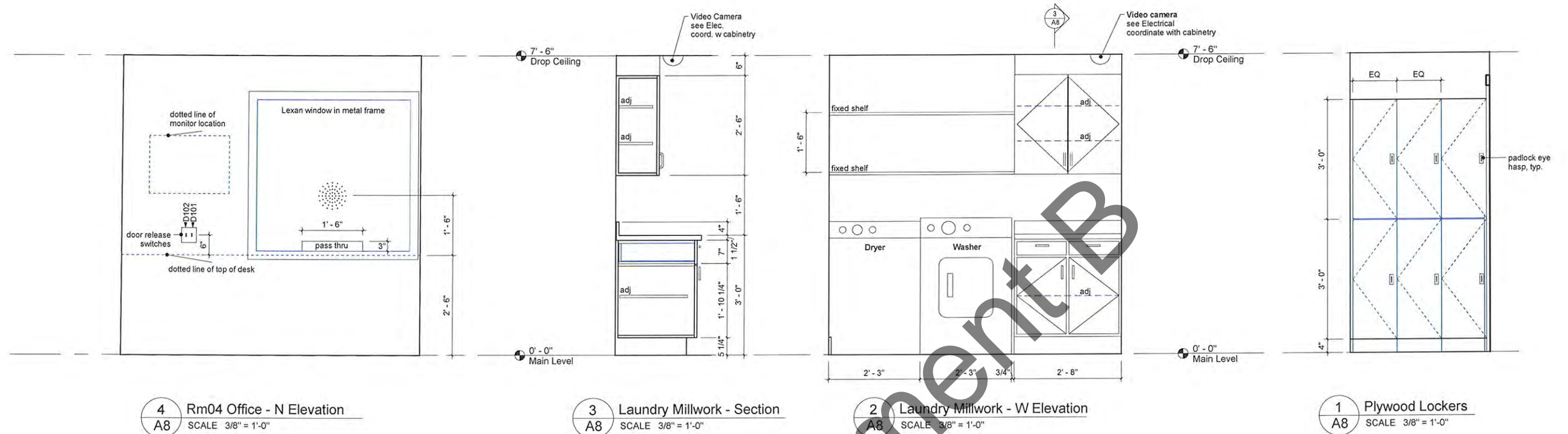
13070 Duane Road
Lakewood, British Columbia
Canada V6C 1G4
tel 250 245 7955 fax 7545
www.angelaypquk.com

Extreme Weather
Response Shelter
631 First Avenue
Ladysmith BC

Project number: AQ1614

Washrooms

Scale
3/8" = 1'-0"
Date
09/03/16
Drawn by
Author
Checked by
Checker
Print Date
2016-09-21
3:51:13 PM
Drawing no
A7



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Extreme Weather Response Shelter

631 First Avenue
Ladysmith BC

Project number AQ1614

Laundry-Kitchen-Misc

Scale
3/8" = 1'-0"

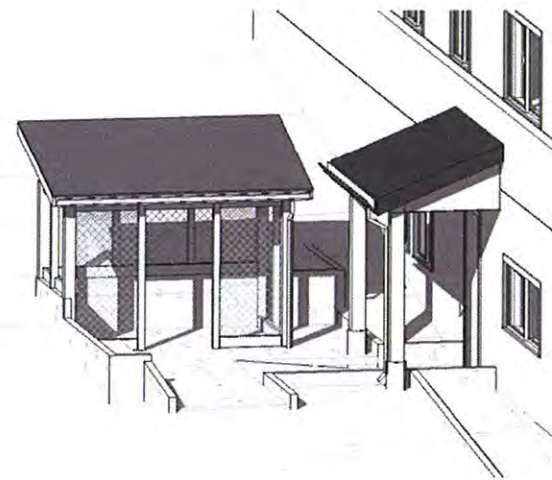
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09/02/16

Drawn by
Author

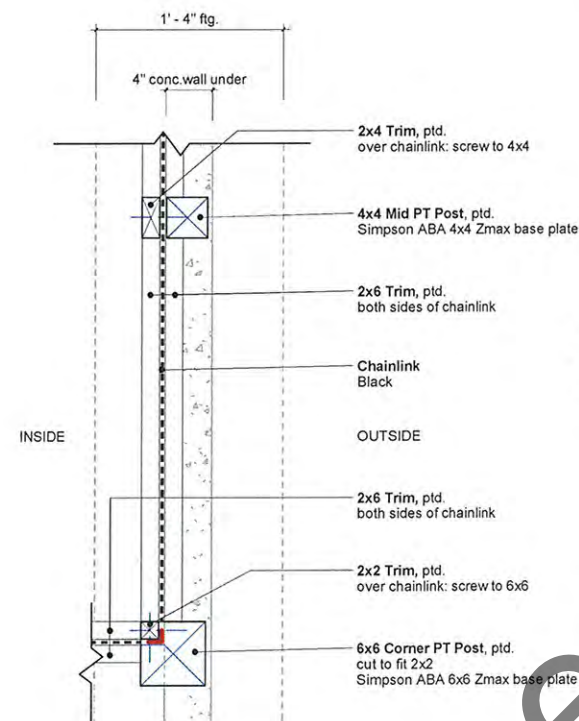
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Checker

Print Date
2016-09-21
3:51:15 PM

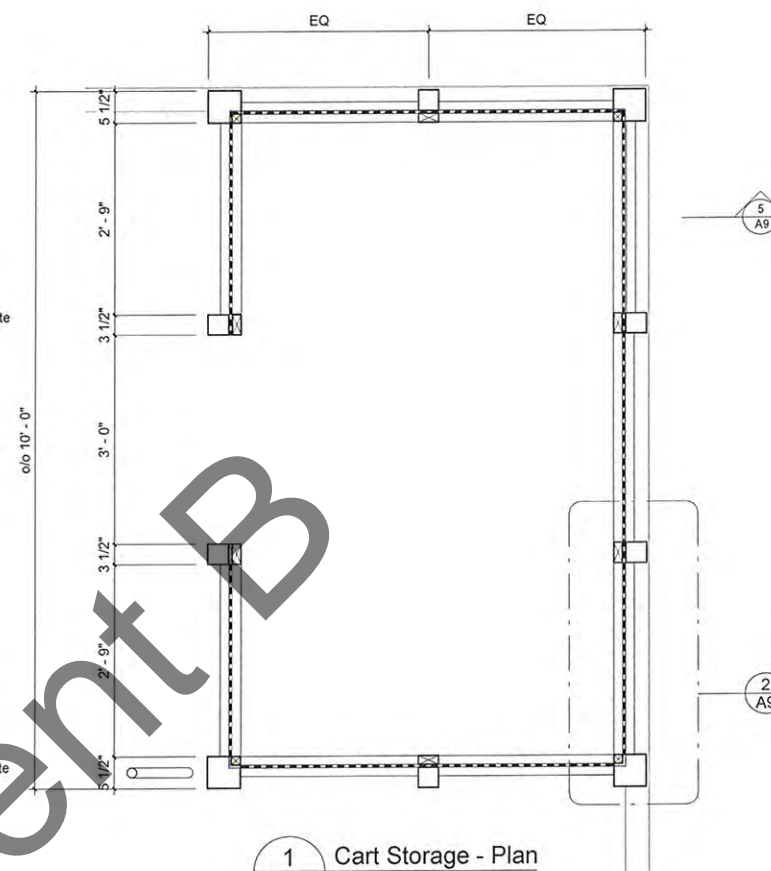
Drawing no
A8



3 Cart Storage & Entry
A9 SCALE



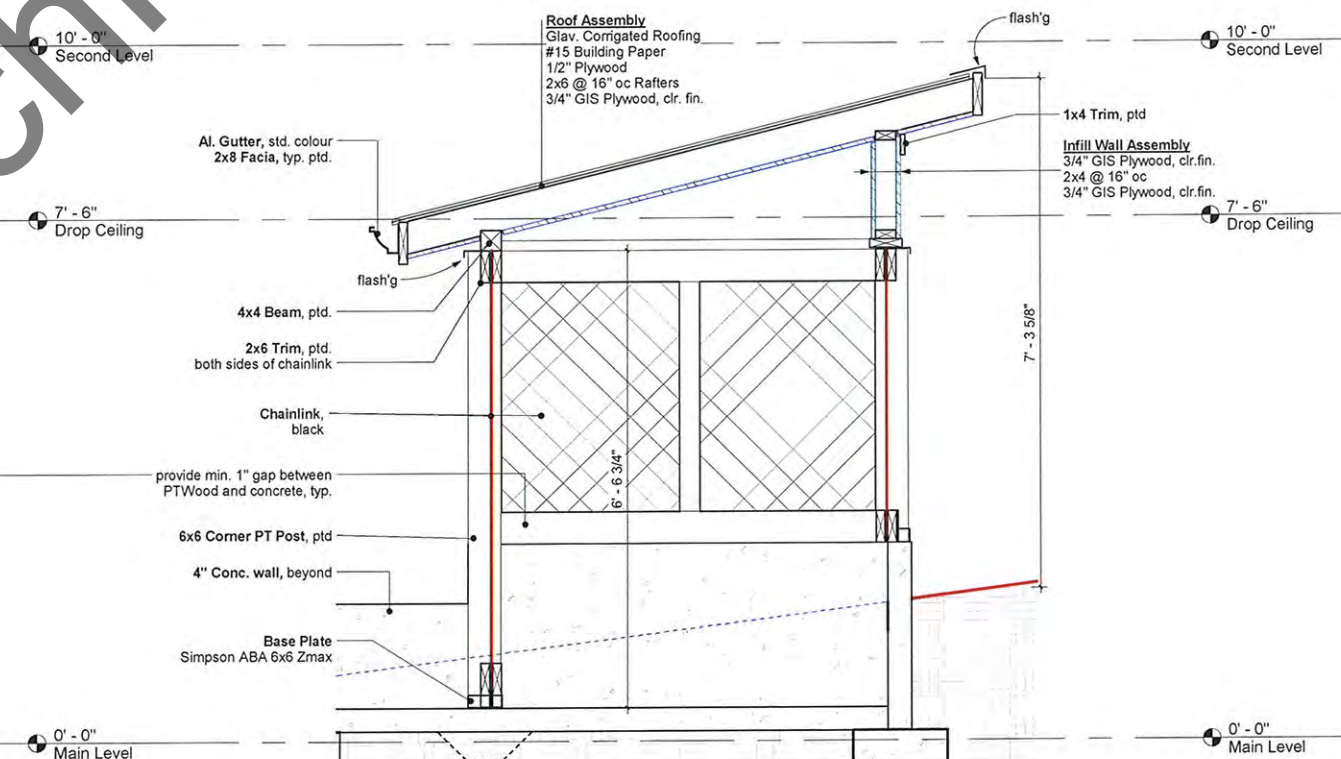
2 Cart Storage - Chainlink
A9 SCALE 3/4" = 1'-0"



1 Cart Storage - Plan
A9 SCALE 3/8" = 1'-0"



4 Cart storage - Front Elevation
A9 SCALE 3/8" = 1'-0"



5 Cart Storage - Section A
A9 SCALE 3/8" = 1'-0"

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Extreme Weather Response Shelter

631 First Avenue
Ladysmith BC

Project number: AQ1614

Cart Storage Shed

Scale
As indicated

Date [yy mm dd]
09/21/16

Drawn by
Author

Checked by
Checker

Print Date
2016-09-21
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Drawing no

A9

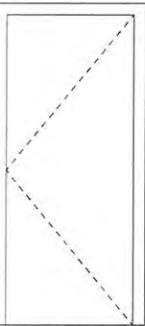
Door Schedule										
Door No.	Door Size	Fire Rating	Matl	Dr.Type	Closures	Panic Hardware	Frame Type	Finish	Keys	Lockset
101	3070	--	Metal Ins.	DT-A	Yes	No	Metal	Ptd	Group A	LSL-DB-ER
102	2868	--	Wood SC	DT-A	Yes	No	Metal	Ptd	Group A	LSL-DB-ER
103	2868	--	Wood SC	DT-B	Yes	No	Wood	Ptd	Group A	LSL-DB
104	2868	--	Wood SC	DT-B	Yes	No	Wood	Ptd	Group A	LSL-DB
105	2868	--	Wood SC	DT-A	Yes	No	Wood	Ptd	Group B	LSL-DBL
106	2868	--	Wood SC	DT-A	Yes	No	Wood	Ptd	Group B	LSL-DBL
107	2868	45 min	Metal Ins.	DT-A	Yes	Yes	Metal	Ptd	na	EXIT
108	2868	45 min	Metal Ins.	DT-A	Yes	Yes	Metal	Ptd	na	EXIT
109	2868	45 min	Metal Ins.	DT-A	Yes	Yes	Metal	Ptd	na	EXIT
110	4070	45 min	Metal Ins.	DT-A	Yes	Yes	Metal	Ptd	Group A	EXIT-HO
111	3068	--	Wood SC	DT-A	Yes	No	Wood	Ptd	Group B	LSL-DBWC
112	2868	--	Metal Ins.	DT-A	Yes	No	Metal	Ptd	Group A	LSL-DB
113	2868	--	Wood SC	DT-A	Yes	No	Wood	Ptd	Group B	LSL-DBWC
114	2868	--	Wood SC	DT-A	Yes	No	Wood	Ptd	Group B	LSL-DBWC
115	2868	--	FBGL	DT-A	Yes	No	Wood	Ptd	Group B	LSL-DBWC
116	2868	--	FBGL	DT-A	Yes	No	Wood	Ptd	Group B	LSL-DBWC
117	3068	--	Wood SC	DT-A	Yes	No	Wood	Ptd	Group B	LSL-DB
118	7070	45 min	Coiling	DT-OH	na	na	Metal	Ptd	Group A	na

Master Key Schedule

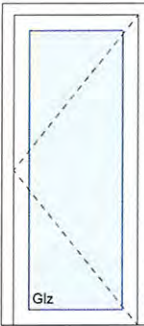
All doors - 2 Keys
Group A - 3 Keys
Group B - 3 Keys

Lockset Legend

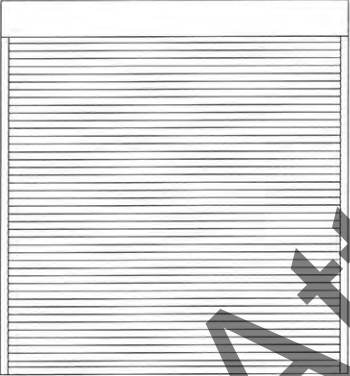
LSL Lever/Latch
ER Electronic Release
HO Hold Open
DB Deadbolt
DBWC Deadbolt w Vacant/Occ window
DBL Deadbolt w keyed lock only



DT-A
Slab



DT-B
Full Glazed



DT-OH
Coiling FRR

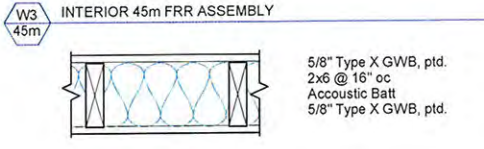
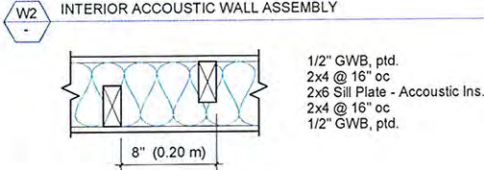
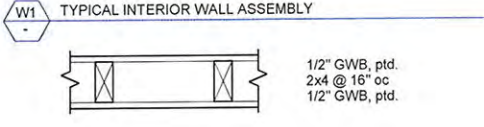
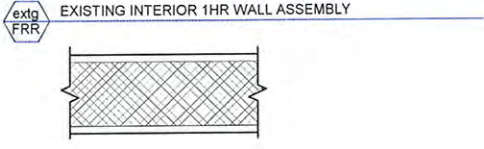
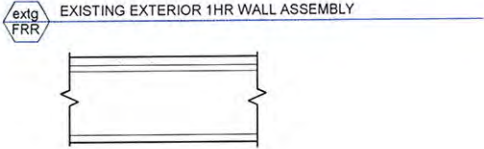
Door Types
SCALE 1/4" = 1'-0"

Window Schedule				
Window #	Size	Material	Sill Height	Comments
N01	8040	Existing	3' - 0"	
N02	4030	Match extg - renov	3' - 0"	P&R - 3.5" int.wd trim 4S, ptd
N03	4030	Match extg - new	3' - 0"	P&R - 3.5" int.wd trim 4S, ptd
N04	4040	Lexan-Metal Frame	2' - 6"	See also 4/A8 & 5/A8, ptd
N05	2040	Vinyl - Fixed	2' - 6"	3.5" int.wd trim 4S, ptd
N06	2060	Vinyl - Fixed	0' - 8"	3.5" int.wd trim 4S, ptd
N07	4668	Vinyl - Fixed	0' - 8"	3.5" int.wd trim 4S, ptd

Room Finish Schedule					
Room No.	Name	Floor	Finish 4" Rbr Base	Wall Colour	Ceiling Colour
01	Entry	NIC	Y	A	D
02	Lounge/Kitchen	NIC	Y	A	D
03	Hallway	NIC	Y	B	A
04	Office	NIC	Y	A	D
05	Women's	NIC	Y	C	D
06	Men's	NIC	Y	C	D
07	EXIT	match existing	Y	A	D
08	Laundry	Sealed conc.	Y	A	D
09	HC WRM	Tile	Y	A	D
10	Jan/Sirg	Sealed conc.	Y	B	A
11	Hallway	Sealed conc.	Y	B	A
12	WC	NIC	Y	A	D
13	Washrm	NIC	Y	B	A
14	Shwr	Tile (NIC)	Y	A	D
15	Washrm	Sealed conc.	Y	B	A
16	Shwr	Tile (NIC)	Y	A	D
17	WC	Sealed conc.	Y	B	A
18	Extg Laundry	P&R - match existing	Y	match extg	na
19	Extg WC	P&R - match existing	Y	match extg	na
20	Exit Corridor	P&R - match existing	Y	match extg	na
21	Car Storage	Sealed conc.	na	black chainlink	na

*Note: triple caulk rubber base & top seal tile base

Specialty Items Schedule				
Item	Size	Manufacturer	Model	Comments
Washer	existing			existing
Dryer	existing			existing
Washer	existing			existing
Washer	27W 35H 25D			existing
Dryer	27W 35H 25D			
Grab Bar Pull Down	30L			provide blocking
Grab Bar 60d	36 x 36			
Grab Bar Horiz	24L			
Grab Bar Horiz	48L			
Dishwasher	24W 24D 34H			
Range	30W 36H 24D			
Fridge	34W 70H 26D			



Wall Types
SCALE 3/4" = 1'-0"

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Extreme Weather
Response Shelter
631 First Avenue
Ladysmith BC

Project number AQ1614

Schedules	
Scale As indicated	
Date by mm/yy XXSEP20XX	
Drawn by YBD	
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Print Date 2016-09-21 3:51:18 PM	Drawing no A10



Nov.29/21

Scope of work Rialto (Ladysmith) women's area

1. Remove kitchen countertop, cabinets upper and lower, sink and plumbing
2. Remove appliances and dispose (fridge, stove)
3. Remove carpet and underlay, replace with vinyl sheet flooring
4. Remove hot water tank
5. Relocate water lines to (HWT) in wall to above ceiling cap and add access panel, cap and cover kitchen water lines and drains
6. Create opening in wall for access from adjacent space (room 02 lounge /kitchen)
7. Remove demising wall separating lounge room to bedroom
8. Remove both storage closets near kitchen
9. Relocate thermostat and light switching at door to bedroom
10. Remove small wall beside bedroom door, replace with beam if loadbearing
11. Provide lockable box to secure electrical breakers
12. Install new security bars to 2 windows (93"x33" and 93"x45")
13. Remove plexi glass from Islander, modify and install at Rialto kitchen
14. Replace light fixtures (existing fixtures are damaged/broken x3)
15. Add security cameras to women's area, (reclaim security system from Islander shelter)
16. Paint entire unit#1
17. Reclaim all appliances from Islander shelter transport to Rialto at occupancy
18. Assemble 10 sleeping pods
19. Potentially add storage lockers (as this is somewhat of a question mark this is not included in the Budget)



MINUTES

Community Planning Advisory Committee

Wednesday, December 1, 2021 at 7:00 p.m.
Via Zoom

PRESENT: Chair – Jason Harrison; Members – Abbas Farahbakhsh, Brian Childs, Jason Robertson, Jennifer Sibbald, Steve Frankel, Tamara Hutchinson; Council Liaison – Tricia McKay; Director of Development Services, Jake Belobaba; Senior Planner & Recorder – Christina Hovey;

ABSENT: None.

GUESTS: Applicant – Matt Schnurch (3360-20-06)
Applicant – David Stalker (3360-21-09)
Applicant – Aaron Hungar (3360-21-11)

The meeting was called to order at 7:05pm, acknowledging with gratitude that Ladysmith is located on the traditional unceded territories of the Stz'uminus First Nation.

1. AGENDA APPROVAL

It was moved, seconded and carried that the Agenda of December 1, 2021 be approved.

2. ADOPTION OF MINUTES

It was moved, seconded and carried that the Minutes of October 6, 2021 be approved.

3. COUNCIL REFERRALS

a. OCP & Zoning Bylaw Amendment application 3360-20-06 10940 Westdowne Road (Town & Country Mobile Home Park)

Staff provided a brief introduction to the application. Matt Schnurch (the applicant) stated that in the short term the property is proposed to be used as an office and the existing single-family home. It is expected that four new mobile home pads could be accommodated on the property in the future. Staff confirmed that, based on background information available, it is not advisable to add any new development to the existing septic system of the Town and Country Mobile Home Park.

One committee member suggested that the existing water service (provided by the CVRD) might not be adequate to provide fire protection to the property. Staff committed to look into the concern.

It was moved, seconded and carried that the Community Planning Advisory Committee recommends that Council approve OCP and Zoning Amendment application 3360-20-06 (10940 Westdowne Road) with an expectation that:

- A covenant will be placed on the property preventing expansion of the mobile home park pending a connection of the property to sewer services.
- Staff will review the adequacy of the water service for fire protection.

**b. OCP & Zoning Bylaw Amendment application 3360-21-09
1134 Trans-Canada Highway**

Staff provided a brief introduction to the application. Staff corrected one point from the referral report to clarify that the Ministry of Transportation and Infrastructure (MoTI) had agreed to a right-out-only access driveway in the context of a previous application. The referral report incorrectly stated that MoTI would not support any access to the highway from the property.

David Stalker (the applicant) provided information about the scale of the proposed operations, the company currently needs office space for six employees, clients visit the office occasionally, and core office hours are between 7am and 5pm.

The committee discussed a need for high quality landscaping for the site (to be reviewed through the development permit application). There are some existing trees in one area of the property and an existing fence along the highway.

It was moved, seconded and carried that the Community Planning Advisory Committee recommends that Council approve OCP & Zoning Amendment application 3360-21-09 (1134 Trans-Canada Highway) and that landscaping and screening be considered along the Trans-Canada Highway.

**c. Zoning Bylaw Amendment application 3360-21-11
631 1st Avenue (Winter Shelter)**

Staff provided a brief introduction to the application and explained the restrictions placed on the shelter through the existing Temporary Use Permit (the shelter can only operate overnight and only during the winter months). Staff corrected one point from the referral report to clarify that the shelter is proposing to expand into one dwelling unit rather than two units.

Aaron Hungar (on behalf of the applicant) provided information about emerging challenges with the current temporary location of the shelter at the Islander Hotel and answered questions from the Committee about proposed operations and security.

CPAC indicated that they “wholeheartedly” support this proposal.

It was moved, seconded and carried that the Community Planning Advisory Committee recommends that Council approve Zoning Bylaw Amendment application 3360-21-11 (631 1st Avenue).

4. NEW BUSINESS
None.

5. MONTHLY BRIEFING
File Updates:

The application for 431 1st Avenue (File No. 3360-21-10) that was previously reviewed by CPAC has received 1st, 2nd, and 3rd reading from Council and the Public Hearing has

been held. CPAC members are invited to review the Council Agendas and Minutes or contact staff for further details.

Council Liaison:

On November 30, 2021 Council appointed Councillor Marsh Stevens to act as the Council liaison to CPAC for 2022, Councillor Tricia McKay was appointed as the alternate.

CPAC members thanked Councillor McKay for her support and hard work, and in particular thanked her for her advocacy in ensuring the group is heard by Council.

6. NEXT MEETING – February 2, 2022.

7. ADJOURNMENT

It was moved, seconded and carried that the meeting be adjourned at 8:33pm.

Chair (J. Harrison)

RECEIVED:

Corporate Officer (D. Smith)

Attachment D

STAFF REPORT TO COUNCIL

Report Prepared By: Jake Belobaba, Director of Development Services
Meeting Date: June 1, 2021
File No: 3340-21-02
Re: Application to Extend Term of Winter Shelter at 631 1st Avenue

RECOMMENDATION:

That Council:

1. Give first and second readings to "Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 38) 2021, No. 2076";
2. Direct staff to schedule and provide notice for a Public Hearing for Bylaw No. 2076 pursuant to section 464(1)(b) of the *Local Government Act*; and
3. Direct staff to refer Bylaw No. 2076 to the Ministry of Transportation following third reading of the bylaw pursuant to section 52 of the *Transportation Act*.

EXECUTIVE SUMMARY:

BC Housing has submitted an application to renew a Temporary Use Permit (TUP) issued by the Town in December of 2018 for the "Winter Shelter" located on the corner of Buller Street and 1st Avenue (631 1st Avenue). Rather than a TUP renewal, staff are recommending a site-specific zoning change that would allow "Emergency Shelter" on the site for a maximum of 10 people. Council also has the option to renew the TUP (see Alternative 1), should Council not wish to approve the site-specific zoning amendment.

PREVIOUS COUNCIL DIRECTION:

Resolution	Date	Resolution Details
CS 2021-048	02/16/2021	That Council approve the issuance of Temporary Use Permit 3340-21-01 for a temporary shelter to support persons experiencing homelessness for the duration of the COVID-19 pandemic, at 440 1st Avenue, Lot 6, Block 27, District Lot 56, Oyster District, Plan 703, PID: 008-550-981.
CS 2021-044	02/16/2021	That Council receive for information the Ladysmith Housing Needs Assessment Report.
CS 2018-512	17-Dec-18	That Council: <ol style="list-style-type: none"> 1. Issue Temporary Use Permit 3340-18-02 to allow a cold weather homeless shelter to be open every night from November 1 to March 31, located at 631 First Avenue (Parcel B, being a consolidation of Lots 9 & 10 see CA5603565, District Lot 56, Oyster District, Plan 703), for three years with one renewal, subject to conditions of the Temporary Use Permit; 2. Authorize the Mayor and Corporate Officer to sign Temporary Use Permit 3340-18-02.
CS 2018-448	19-Nov-18	FINAL RESOLUTION (AS AMENDED BY CS 2018-449) That Council: <ol style="list-style-type: none"> 1. Direct staff to proceed with statutory notice for Temporary Use Permit (TUP) application 3340-18-02 from the Ladysmith Resources Centre Association for 631 1st Avenue (to replace TUP 3340-16-01) and in

		<p>the Ladysmith Chamber of Commerce and the Ladysmith Downtown Business Association in the statutory notice.</p> <ol style="list-style-type: none"> 2. Require the applicant to host a neighbourhood information meeting regarding TUP application 3340-18-02 and provide a report regarding the public input received at the meeting.
CS 2016-278	15-Aug-16	<p>That Council:</p> <ol style="list-style-type: none"> 1. Issue Temporary Use Permit 3340-16-01 to allow for an extreme weather shelter to be located at 631 First Avenue (Lot 9 and 10, Block 8, District Lot 56, Oyster District, Plan 703) for three years with one renewal, subject to the conditions of the Temporary Use Permit; and 2. Authorize the Mayor and Corporate Officer to sign Temporary Use Permit 3340-16-01.
CS 2016-226	20-Jun-16	<p>That Council</p> <ol style="list-style-type: none"> 1. Receive the application for a Temporary Use Permit (3340-16-01) to permit an extreme weather shelter to be located at 631 First Avenue (Lot 9 and 10, Block 8, District Lot 56, Oyster District, Plan 703) and require the applicant to host a public information meeting and provide a report regarding the public input received at the meeting; 2. Following the public information meeting, direct staff to: <ol style="list-style-type: none"> 1) proceed with statutory notice for a Temporary Use Permit application (3340-16-01), and 2) report to Council with a permit containing conditions.

INTRODUCTION/BACKGROUND:

In August of 2016, a TUP was issued to BC Housing for an “extreme weather shelter” at 631 1st Avenue. The purpose of the facility was to provide shelter on nights where weather conditions would threaten the health or safety of the homeless. In the 2017-2018 season, the facility provided shelter on 121 nights. In December of 2018, the Town issued another TUP allowing the site to be used as a “cold weather shelter” from November 1st to March 31st of each year.

The facility provides beds for a total of 10 people and services are available to both men and women. Support services, including showers, laundry and meals are also provided at the facility. The shelter has remained in operation on a seasonal basis since 2018, with some changes to services resulting from the COVID-19 pandemic. At the start of the pandemic in early 2020, the facility was deemed too small to operate as an Emergency Response Centre (ERC) to support the homeless during the pandemic. Initially a tenting facility was set up on the Town-owned property across the street, and in February of this year, a TUP was issued for an indoor ERC at 440 1st Avenue. Since the start of the pandemic, the facility at the subject property has continued to provide limited sleeping accommodations, meals, showers and other support services in combination with the other two sites. With the opening of the facility at 440 1st Avenue, virtually no services will be provided from the subject property until the Provincial state of emergency is ended. More detail on the facility operations over the past three years is provided in the LRCA report attached as Attachment C. The report is a requirement of the TUP issued in 2018.

Figure 1: Subject Property Map



The subject property is owned by BC Housing and operated by the Ladysmith Resources Centre Association (LRCA). Section 14 of the *Interpretation Act*, exempts lands owned by Provincial Government agencies from local land use bylaws. This exemption is often referred to as “paramountcy”. When the TUPs were issued in 2016 and again in 2018, it was less clear whether facilities owned by BC Housing, and operated by a third party, were eligible for paramountcy. This changed in 2019, when the Supreme Court of BC ruled that a similar facility in Nanaimo was subject to paramountcy rules¹. The legal precedence established by the Nanaimo case applies to the subject property. Subsequently, BC Housing is not required to renew the TUP for the subject property or comply with any of the Town’s land use and development bylaws. However, Provincial agencies often “opt-in” to local government regulatory schemes as a good-faith gesture, by applying for local government approvals. When BC Housing was advised that the Town could not require a TUP renewal as a result of the Nanaimo case, BC Housing elected to submit an application to renew its TUP anyways.

PROPOSAL:

BC Housing is seeking an extension of the existing TUP on the property to allow the shelter to continue operating under the same terms as the previous TUP. Staff have provided this as an

¹ [Buechler v. Island Crisis Care Society](#)

option for Council (see Alternative 1) but, for the reasons outlined in this report, are recommending that the site be rezoned to permit “emergency shelter” instead. BC Housing and the LRCA are supportive of this change. The proposed bylaw would amend the Zoning Bylaw to define “emergency shelter” as:

“... a housing facility located inside a permanent building and operated by a non-profit society or government agency which provides temporary emergency accommodation, meals and support services for individuals experiencing homelessness.”

The proposed bylaw would also amend the Zoning Bylaw to allow “emergency shelter” as a site-specific use in the Medium Density Residential (R-3) zone, meaning the use would be allowed on the subject property but no other properties. Like the rules under the TUP, overnight accommodation for up to 10 people can be provided with no limit on meal and support services. Unlike the rules under the TUP, the proposed zoning amendments would not restrict the facility to certain times of the year and the use could continue indefinitely. The proposed zoning amendments do not apply to the temporary facility at 440 1st Avenue. If Council approves the proposed amendments, when the TUP for the ERC at 440 1st Avenue expires, the facility on the subject property can resume normal operations and will be the only facility of its kind in Ladysmith.

ANALYSIS/DISCUSSION:

Generally speaking, the OCP has few policies related to homelessness. However, the subject property is within the Downtown Core Land Use Designation which allows “services”, and “civic” uses. The OCP also contains the following goals and objectives under part 3.6—Community Facilities and Services:

Goals

- Make a priority the continued access to effective and responsive services to meet health and social needs.
- Engage in partnerships with service providers to ensure quality facilities, services and delivery in an efficient and coordinated manner.

Objectives

- Preserve health and social services and facilities to meet the needs of the current and future population and particularly those of seniors and youth.
- Provide quality services which recognize the varied interests and needs of the community.

The proposed zoning amendments are consistent with these goals and objectives.

More recently, the Town's [Housing Needs Assessment](#), received by Council in February of this year, notes an unhoused population of approximately 17 in Ladysmith². The report further recognizes a long-understood housing principle that emergency shelters are part of the "spectrum" of housing needed to help the homeless transition to permanent housing and care.

It is clear that a sustained commitment to address homelessness is needed from both the Town and Province. The maximum term of a TUP is only three years and it is unlikely that homelessness will be eliminated in Ladysmith within that timeframe. Regardless, any long-term solution to homelessness will require emergency shelters as a first step in helping the homeless transition to permanent housing.

The temporary/seasonal model of the facility has proven its benefits and compatibility with the surrounding neighbourhood. However, the COVID-19 pandemic and Housing Needs Assessment have highlighted the need for year-round, permanent support services. Hazardous weather is not the only threat to the homeless, nor is it even limited to the winter months—e.g. the Canadian Disaster Database notes that just five extreme heat events in Canada are believed to have caused 1,200 deaths³. Addiction, domestic violence, communicable diseases, mental illness and poverty are not seasonal.

In terms of location, staff see the subject property as an ideal location as it is close to other service providers, such as government services, grocers and pharmacies. Impacts of the facility on adjacent land uses have proven to be minimal during the five year period that the facility has been in operation.

For the reasons noted above, staff recommend approving the proposed amendment bylaw.

ALTERNATIVES:

Council can choose to:

1. Renew Temporary Use Permit 3340-18-02 (Attachment B).
2. Not renew the TUP or give readings to Bylaw No. 2076.
3. Refer the file to the Community Planning Advisory Committee (CPAC).
4. Refer the file back to staff for further review as specified by Council.
5. Amend Bylaw No. 2076 and give the bylaw first and second reading as amended.
6. Specify another alternative suitable to Council.

FINANCIAL IMPLICATIONS:

The facility is operated by a not-for-profit on behalf of the Provincial Government. There are no direct costs to the Town.

² This includes 5 people counted as "absolutely homeless" one person counted as "hidden homeless" and 11 people counted as "at-risk" of homelessness.

³ See: <https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/climate-change-health/communicating-health-risks-extreme-heat-events-toolkit-public-health-emergency-management-officials-health-canada-2011.html>

LEGAL IMPLICATIONS:

Paramountcy overrides all local government land use and development bylaws, including the proposed zoning amendments. This means, BC Housing reserves the right to expand facilities on the site beyond what Council may permit, or continue operating the facility if Council elects to prohibit it.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

BC Housing held neighbourhood information meetings for the facility in 2016 and again in 2018. The August 15, 2016 and December 17, 2018 staff reports note attendees of the neighbourhood information meetings supported the facility. Neither report notes any major public concerns about the facility. Should Council give the proposed zoning amendment first and second reading, a public hearing is required pursuant to section 464 of the *Local Government Act*.

Should Council elect to proceed with Alternative 1 (renew the TUP), no notification is required. However, TUP's can only be renewed once; meaning the TUP could not be renewed again. In order for the facility to continue to operate after the TUP renewal expires (in 3 years) BC Housing would need to either:

1. Obtain a new TUP;
2. Apply to rezone the site; or
3. Simply continue operating the facility under paramountcy rules.

The latter does not require any form of public consultation, however applying to rezone the site or a new TUP does.

Because BC Housing is applying for a TUP, and staff are instead proposing a Town-initiated rezoning, referral to the CPAC is technically not required under the CPAC Terms of Reference or the Development Approval Procedures Bylaw. However, Council may wish to refer the proposed zoning amendments to CPAC for review and comment prior to giving first and second reading to the proposed bylaw (Alternative 3 above).

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The proposed amendments were referred to the Engineering, Fire and Building Departments for comment. No concerns were raised from Engineering or Building. The Fire Department noted only minor concerns that will be addressed as part of scheduled fire inspections.

The December 17, 2018 staff report summarized discussions with then Staff Sergeant Brissard of the Ladysmith RCMP, noting that there were no complaints about the facility between 2016 and 2018 and there was no evidence that the shelter had resulted in increased calls during the same period. The report also noted that S/Sergeant Brissard raised questions about where persons using the facility would go when vacating the facility at 7am—i.e. if there would be “support services” for them—a concern that is partially addressed with the proposed zoning change as the proposed rules would not place limits on hours of operation.

More recently, Staff also discussed the application with S/Sergeant Perret from the Ladysmith RCMP who expressed no concerns about allowing the facility to remain in place, either through rezoning or renewal of the TUP.

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 checked="" type="checkbox"/> Healthy Community | <input type="checkbox"/> Local, Diverse Economy |
| <input type="checkbox"/> Not Applicable | |

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

I approve the report and recommendation(s).

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

- A. Bylaw 2076
- B. Temporary Use Permit 3340-18-02
- C. LRCA Report

TOWN OF LADYSMITH

BYLAW NO. 2076

A Bylaw to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860"

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

1. "Town of Ladysmith Zoning Bylaw 2014, No. 1860" is amended by:

- (a) adding to section 4.1 'Interpretation', the following definition:

"EMERGENCY SHELTER: means a housing facility located inside a permanent building and operated by a non-profit society or government agency which provides temporary emergency accommodation, meals and support services for individuals experiencing homelessness."; and

- (b) adding as subsection 8(c) under Section 10.10 'Medium Density Residential (R-3)' the following:

"Despite section 10.10(1) *Emergency Shelter*, for up to 10 people, is a permitted use on Parcel B (being a consolidation of Lots 9 & 10 see CA5603565) District Lot 56, Oyster District, Plan 703. PID 029-974-640 (631 1st Avenue)".

Citation

2. This Bylaw may be cited for all purposes as "Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 38) 2021, No. 2076".

READ A FIRST TIME on the _____ day of _____, 2021
READ A SECOND TIME on the _____ day of _____, 2021
PUBLIC HEARING held pursuant to the provisions of the *Local Government Act*
on the _____ day of _____, 2021
READ A THIRD TIME on the _____ day of _____, 2021
APPROVED by the Ministry of Transportation & Infrastructure
on the _____ day of _____, 2021
ADOPTED on the _____ day of _____, _____

Mayor (A. Stone)

Corporate Officer (D. Smith)



TOWN OF LADYSMITH TEMPORARY USE PERMIT

FILE NO: 3340-18-02

ISSUE DATE: December 17, 2018

RENEWAL DATE: June 1, 2021

Name of Owner(s) of Land (permittee): Provincial Rental Housing Corporation, INC.NO. 52129

Subject Property: Parcel B (being a consolidation of Lots 9&10 see CA5603565) District Lot 56,
Oyster District, Plan 703 (631 First Avenue)

1. This permit is issued subject to compliance with all Town of Ladysmith bylaws that apply to this permit.
2. This permit applies to the lands described below, and any buildings, structures, and other development thereon (hereinafter called the Lands).

Parcel B (being a consolidation of Lots 9 & 10 see CA5603565) District Lot 56, Oyster District, Plan 703 (631 First Avenue)

PID: 029-974-640

3. Pursuant to Division 8 in Part 14 of the *Local Government Act*, this permit authorizes the Provincial Rental Housing Corporation, INC.NO. 52129 to operate a cold weather shelter on the Lands on a temporary basis subject to the following conditions:
 - a) The shelter may be used to provide temporary accommodation for people who are homeless.
 - b) The shelter may be located in the basement of the building at 631 First Avenue, and the entrance of the shelter will be separate from the entrance for the residential units in the building.
 - c) Ten beds may be provided in the shelter from November 1st through to March 31st.
 - d) The shelter hours of operation may be from 6pm to 7am.
 - e) Indoor storage will be provided for the patron/client's personal belongings.
 - f) If an exterior designated smoking area is established, it shall be located away from public sidewalks.
 - g) The applicant and shelter operator(s) will monitor and promote the orderly conduct of patrons/clients immediately outside the premises, paying attention to congregations which may occur, and to discourage patrons from engaging in behaviours that may disturb the peace, quiet and enjoyment of the neighbourhood.
 - h) The applicant and shelter operator(s) will clean up patron/client related debris on and immediately adjacent to the Lands.
4. At the end of the three year term, and as part of a permit renewal application, the owner shall provide a report to the Town stating how the conditions of this permit have been satisfied.
5. This permit is not a building permit or a sign permit.

6. This permit was approved on **December 17, 2018**, issued on **December 17, 2018** and renewed on **June 1, 2021** .
7. Pursuant to section 497 of the *Local Government Act*, this permit lapses on **December 17, 2024**.

Town of Ladysmith

_____	<u>December 17,</u>
2018	
Corporate Officer	Date Permit Issued
_____	<u>June 1, 2021</u>
Mayor	Date Permit Renewed

Applicant	

Applicant	

Previously Reviewed

Attachment E

From: [Vicky Stickwood-Hislop](#)
To: [Jake Belobaba](#)
Cc: [Amanda Parnham](#); [Sean Rorison](#); [Karen Laing](#)
Subject: Application to extend TUP at 631 1st Avenue, Ladysmith
Date: May 24, 2021 6:56:35 PM

Hi Jake,

Based on your request for a summary on how the facility has operated, approximate number of clients served; covid; and bullet point response to conditions of TUP:

Summary of how the Ladysmith shelter has operated out of the basement of the building at 631 First Avenue ("the Rialto"), offering the following services:

Meals Served; Snack Bags; Overnight stays; WC Use; Showers; First Aid; Clothing; Laundry; Harm Reduction, and various Outreach Services including LRCA Support Workers, LRCA Housing Support Services, Ministry Integrative Specialists, Island Health.

Pre-Covid/ Cold Weather Shelter 2019 to Spring 2020:

We served 35 unique individual guests since the Cold Weather Shelter opened in Nov 2019. We offered the above listed services plus transportation (bus and taxi), warm clothing and food packs to go. Our daily meals on average: 7 to 10 guests for dinner, 5 to 7 for breakfast daily.

Onset of Covid Spring 2020:

The shelter environment had to be adjusted to allow for appropriate social/physical distancing. Reduced client numbers to a maximum of 5 residents at all times, with an average of 4 beds each night regularly filled. This was also to allow for staff to follow strict cleaning protocols, ensuring cleaning supplies and PPE were on hand at all times.

The onslaught of Covid Summer 2020:

The decision was made to move to a tent cluster site across from the Rialto shelter to allow for 8 to 10 clients (averaged 7 clients in individual tents each night), self-contained , socially distanced, following Covid protocol. The Rialto shelter was staffed to continue to prepare meals, provide laundry services, access to showers, etc. as listed above to our vulnerable population.

Private security at the tent cluster site was scheduled from 4pm to 8am daily.

A clothing exchange was made available from 9:30am to 3pm.

Outreach services continued to be provided through LRCA support workers, Island Health,

Ministry Integrative Specialists and LRCA Housing Support Services.

Return to Rialto Shelter post tent cluster site closure, Oct 2020 to March 2021:

The Rialto shelter was converted back to its 'onset of covid' facility. The maximum capacity remained at 5, the average number of overnight clients was 3.5. All Covid safety protocols and services continued.

With reference to the bullet points of the Temporary Use Permit:

- 3.a) in compliance
- 3.b) in compliance
- 3.c) in compliance with above changes due to Covid protocols
- 3.d) in compliance based on agreed to Covid related change of hours in accordance with BCH and Town of Ladysmith
- 3.e) in compliance
- 3.f) in compliance
- 3.g) in compliance
- 3.h) in compliance

Thank you,
Vicky

Vicky Stickwood-Hislop
President, Ladysmith Resources Centre
www.lrca.ca

Working on the traditional and unceded territory of the Stz'uminus People.

Minutes of the Parks, Recreation & Culture Advisory Committee
Wednesday, November 17, 2021 at 7:00pm
Frank Jameson Community Centre, 810 6th Avenue

COMMITTEE MEMBERS PRESENT:

Tim Richards, Chair	Kelly Daniels
Councilor Duck Paterson	Geoff Dean
Lynda Baker	Emily Weeks
Bruce Mason	Jacqueline Huard
Lucy Partington	

STAFF PRESENT:

Chris Barfoot, Lead
Kim Cheang
Mike Gregory

REGRETS:

Lesley Lorenz

The meeting was called to order at 7:04pm.

**CALL TO ORDER AND
ACKNOWLEDGEMENT**

Tim Richards acknowledged with gratitude that this meeting takes place on the traditional, unceded territory of the Stz'uminus First Nation.

AGENDA

2021-24:

That the Parks, Recreation and Culture Advisory Committee approve the agenda for the meeting as presented.

Motion carried.

MINUTES

2021-25: That the Parks, Recreation and Culture Advisory Committee approve the minutes of the October 20, 2021 meeting with correction from Linda to Lynda as presented.

Motion Carried

NEW BUSINESS

Interact Youth Group

Lucy Partington discussed interest from the Ladysmith Interact in participating in Kinsmen Park public engagement and would like to learn more about the processes.

It was suggested to have members of the Ladysmith Interact come as a delegation to this committee.

Introduction Mike Gregory

The Town of Ladysmith, Communications & Engagement Specialist Mike Gregory provided a copy of an overview of a joint public engagement strategy put together by the CVRD, and discussed examples of best practices for community engagement. It was suggested that some goals for phase 1 would be to assess the need for engagement and determine the level of community impact, and identify stakeholders.

Mr. Gregory presented options to the committee on what a first step could look like based on the information the committee is seeking.

Also it was suggested that the Committee gain an understanding of what are the existing unique features of the space. It will be through the public engagement that will define what Kinsmen Park is and what its potential is? If there are important existing elements, the importance to preserve these should be identified out front in this initial engagement.

Engagement and Knowledge Gathering of Kinsmen Park Plan

Questions:

Is the goal to attract more people? If it is, we could anticipate having a bit more parking. Is parking going to be an issue?

Is the goal to keep as much green space as possible and create connectivity around the neighborhood?

Themes?

Amenities (current or new)?

Cultural Opportunities (Land acknowledgement)?

Through the engagement process, include acknowledgement of the Stz'uminus land, invite a Stz'uminus elder to come and talk about the areas and its importance. Natural vegetation, native species can be educational components.

Plan for the first phase of engagement will be presented back to the committee in January.

Kinsmen Park Site

During a committee onsite visit it was identified that a small walking perimeter trail for walking and connecting to bike trails may be a benefit to enhancing the space.

The committee reviewed and discussed Kinsmen park site map; proposed development on Malone Dr; inner tip of lot B small zone designated as park and proposed parking; access point on Kinsmen Park off of Davidson Rd; small corridor between 71 and 841; proposed active transportation side walk and cross walk may help with entry point, connectivity.

December Meeting

Meet if necessary.

PRC Department Update

PRC DEPARTMENT UPDATE

Chris Barfoot provided a verbal update and printed copy for:
Administration
Programs
Facility Use Analysis

NEXT MEETING

Next meeting will be held at 7:00pm, January 19, 2022 at Frank Jameson Community Centre.

ADJOURNMENT

2021-26:
That the committee adjourn this meeting at 8:53pm.
Motion carried



Notes from the Official Community Plan Steering Committee Meeting Held on November 25, 2021 at 5:30pm by Zoom

Attendees:

Cyndi Beaulieu	Quentin Goodbody	Geoff Dean	Emily Weeks
Duck Paterson	Brian Childs	Mark Drysdale	Jason Harrison
Tamara Hutchinson	Abbas Farabakhsh	Jennifer Sibbald	Gale Lawrence
Jake Belobaba	Mike Gregory	Jennifer Fix	Lucas Ozols-Mongeau
Julie Tierney (recorder)			

Regrets:

Tara Pollock	Martin Byrne	Allison McCarrick	Ray Gauthier
Isabel Anderson	David Grimstead		

Acknowledgement

J. Belobaba gratefully acknowledged with gratitude that this meeting takes place on the traditional, unceded territory of the Stz'uminus First Nation.

OCP Policy Topics

J. Belobaba explained that consideration had been made regarding the establishment of sub-committees to discuss aspects of the OCP, however it was determined this was not required at this time.

Community Engagement Summary

L. Ozols-Mongeau provided an overview of the Engagement Summary, which will be presented to Council at its meeting on December 21, 2021. The Summary details the objective, meaningful and comprehensive engagement opportunities offered as well as providing information on emerging themes, which include the waterfront and surrounding area; small town historic character; walking and cycling connections; transit; caring and strong sense of community; strong volunteerism; climate action; affordability; and, support for business.

By offering varying types of engagement opportunities, the response captured many demographics in Ladysmith and emphasized where some tailored engagement may be required. Staff and consultants will continue to strive for a complete representation.

Consulting team captured comments by committee members.

RECEIVED:

Corporate Officer (D. Smith)

Minutes of the Public Art Task Group (PATG)
Tuesday, November 30th, 2021 at 4:30pm
This meeting was held electronically.

COMMITTEE MEMBERS PRESENT:

Lynda Baker
Councillor Tricia McKay
Ora Steyn
Lesley Lorenz
Kathy Holmes
Julie Noon

STAFF PRESENT:

Shannon Wilson

REGRETS:

Shirley Louie

**WELCOME &
ACKNOWLEDGEMENT**

L. Baker welcomed group and opened the meeting at 4:35 pm.

AGENDA

Moved and seconded: T. McKay / O. Steyn

2021-20: That PATG members approve the agenda for the meeting as presented.

Motion carried.

MINUTES

Moved and seconded: K. Holmes / T. McKay

2021-21: That PATG members approved Minutes of September 28th, 2021 as circulated.

Motion carried.

OLD BUSINESS

A. Banner Theme – Resolution for PRCAC

Moved and seconded: T. McKay / K. Holmes

2021-22: That PATG recommend PRCAC support and forward to Council for approval the 2022 Community Public Art Banner theme “Coastal Community” - that highlights the heritage of local sustainable fisheries, our reliance on the ocean as a food source, the wildlife in our waters and our important connection with Stz’uminus. Further, the PATG recommends a special banner, celebrating the Centennial of Aggie Hall in a way that is mindful and sensitive of our Stz’uminus neighbours.

Motion carried.

At the last PATG meeting, members discussed a theme to recommend to Council for the 2022 Community Public Art Banner program.

The United Nation's International Year of Artisanal Fisheries and Aquaculture 2022 (IYAFA 2022) was launched November 19th at a ceremony that highlighted how small-scale artisanal fishers, fish farmers and fish workers contribute to human well-being, healthy agri-food systems and poverty eradication through the responsible and sustainable use of fisheries and aquaculture resources.

Underpinning the theme of the UN Food and Agriculture Organization's vision is the "4 Betters: better production, better nutrition, a better environment, and a better life for all – leaving no one behind."

PATG discussed the connection of the UN's theme with Ladysmith and highlighted our ties to the theme as a Coastal Community. The committee envisions a "Coastal Community" theme that highlights the heritage of local sustainable fisheries, our reliance on the ocean as a food source, the wildlife in our waters and our important connection with Stz'uminus.

Further, the PATG recommends a special banner, celebrating the Centennial of Aggie Hall in a way that is mindful and sensitive of our Stz'uminus neighbours.

B. Guidelines for Toolkit#1 – Acquisition of Public Art

Moved and seconded: L. Lorenz / K. Holmes

2021-23: That PATG members move to recommend Toolkit#1 – Acquisition of Public Art and present to the PRCAC for their review and recommendations.

Motion carried.

C. Guidelines for Toolkit#3 – Deaccession of Public Art

Moved and seconded: L. Lorenz / O. Steyn

Discussion. Staff to remove notes.

2021-24: That PATG members move to recommend Toolkit#3 – Deaccession of Public Art and present to the PRCAC for their review and recommendations.

Motion carried.

D. List of Proposed Projects - Ongoing

No report



NEW BUSINESS

A. Review of RFP – Call for Artist – Youth Mural Project

The Committee reviewed and made edits to the draft. Staff will share notes for consideration in next Draft revision.

B. Review of Public Art Policy (future meeting)

PRC DEPARTMENT UPDATE

- 1) Arts & Culture – Staff focus on Youth Mural Art project at FJCC, finalizing ToolKits and Community Banner Program.
- 2) Winter Guide 2022 is being released this week.
- 3) Constantly shifting to meet/exceed requirements of the PHO.
- 4) K. Holmes shared that 300 students from LPS painted gingerbread people that are hanging in trees downtown.

Moved and seconded: O. Steyn / K. Holmes

2021-19: That the PATG meeting is adjourned at 5:34 p.m.

Motion carried

Next meeting: January 2022

Chair (L. Baker)
RECEIVED:

Corporate Office (D. Smith)



MINUTES

Community Planning Advisory Committee

Wednesday, December 1, 2021 at 7:00 p.m.
Via Zoom

PRESENT: Chair – Jason Harrison; Members – Abbas Farahbakhsh, Brian Childs, Jason Robertson, Jennifer Sibbald, Steve Frankel, Tamara Hutchinson; Council Liaison – Tricia McKay; Director of Development Services, Jake Belobaba; Senior Planner & Recorder – Christina Hovey;

ABSENT: None.

GUESTS: Applicant – Matt Schnurch (3360-20-06)
Applicant – David Stalker (3360-21-09)
Applicant – Aaron Hungar (3360-21-11)

The meeting was called to order at 7:05pm, acknowledging with gratitude that Ladysmith is located on the traditional unceded territories of the Stz'uminus First Nation.

1. AGENDA APPROVAL

It was moved, seconded and carried that the Agenda of December 1, 2021 be approved.

2. ADOPTION OF MINUTES

It was moved, seconded and carried that the Minutes of October 6, 2021 be approved.

3. COUNCIL REFERRALS

a. OCP & Zoning Bylaw Amendment application 3360-20-06 10940 Westdowne Road (Town & Country Mobile Home Park)

Staff provided a brief introduction to the application. Matt Schnurch (the applicant) stated that in the short term the property is proposed to be used as an office and the existing single-family home. It is expected that four new mobile home pads could be accommodated on the property in the future. Staff confirmed that, based on background information available, it is not advisable to add any new development to the existing septic system of the Town and Country Mobile Home Park.

One committee member suggested that the existing water service (provided by the CVRD) might not be adequate to provide fire protection to the property. Staff committed to look into the concern.

It was moved, seconded and carried that the Community Planning Advisory Committee recommends that Council approve OCP and Zoning Amendment application 3360-20-06 (10940 Westdowne Road) with an expectation that:

- A covenant will be placed on the property preventing expansion of the mobile home park pending a connection of the property to sewer services.
- Staff will review the adequacy of the water service for fire protection.

**b. OCP & Zoning Bylaw Amendment application 3360-21-09
1134 Trans-Canada Highway**

Staff provided a brief introduction to the application. Staff corrected one point from the referral report to clarify that the Ministry of Transportation and Infrastructure (MoTI) had agreed to a right-out-only access driveway in the context of a previous application. The referral report incorrectly stated that MoTI would not support any access to the highway from the property.

David Stalker (the applicant) provided information about the scale of the proposed operations, the company currently needs office space for six employees, clients visit the office occasionally, and core office hours are between 7am and 5pm.

The committee discussed a need for high quality landscaping for the site (to be reviewed through the development permit application). There are some existing trees in one area of the property and an existing fence along the highway.

It was moved, seconded and carried that the Community Planning Advisory Committee recommends that Council approve OCP & Zoning Amendment application 3360-21-09 (1134 Trans-Canada Highway) and that landscaping and screening be considered along the Trans-Canada Highway.

**c. Zoning Bylaw Amendment application 3360-21-11
631 1st Avenue (Winter Shelter)**

Staff provided a brief introduction to the application and explained the restrictions placed on the shelter through the existing Temporary Use Permit (the shelter can only operate overnight and only during the winter months). Staff corrected one point from the referral report to clarify that the shelter is proposing to expand into one dwelling unit rather than two units.

Aaron Hungar (on behalf of the applicant) provided information about emerging challenges with the current temporary location of the shelter at the Islander Hotel and answered questions from the Committee about proposed operations and security.

CPAC indicated that they “wholeheartedly” support this proposal.

It was moved, seconded and carried that the Community Planning Advisory Committee recommends that Council approve Zoning Bylaw Amendment application 3360-21-11 (631 1st Avenue).

4. NEW BUSINESS
None.

5. MONTHLY BRIEFING
File Updates:

The application for 431 1st Avenue (File No. 3360-21-10) that was previously reviewed by CPAC has received 1st, 2nd, and 3rd reading from Council and the Public Hearing has

been held. CPAC members are invited to review the Council Agendas and Minutes or contact staff for further details.

Council Liaison:

On November 30, 2021 Council appointed Councillor Marsh Stevens to act as the Council liaison to CPAC for 2022, Councillor Tricia McKay was appointed as the alternate.

CPAC members thanked Councillor McKay for her support and hard work, and in particular thanked her for her advocacy in ensuring the group is heard by Council.

6. NEXT MEETING – February 2, 2022.

7. ADJOURNMENT

It was moved, seconded and carried that the meeting be adjourned at 8:33pm.

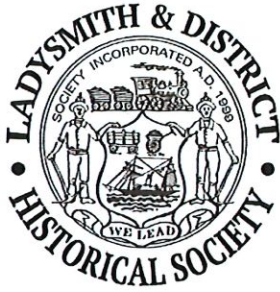
Chair (J. Harrison)

RECEIVED:

Corporate Officer (D. Smith)

BYLAW STATUS SHEET
November 16, 2021

		Status
2068	Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 65) 2021, No. 2068 (1130 Rocky Creek Rd)	First and second readings, 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 readings, 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 readings, October 5, 2021. Public Hearing and third reading November 2, 2021.
2088	Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 44) 2021, No. 2088 (1260 Churchill)	First and second readings, October 5, 2021. Public Hearing and third reading November 2, 2021. MOTI approval required.
2089	Housing Agreement Bylaw 2021, No. 2089 (1260 Churchill)	First, second and third readings, October 5, 2021.
2093	Business Regulations and Licensing (Rental Units) Bylaw 2021, No. 2093 (Renovictions)	First, second and third readings December 7, 2021. Public hearing scheduled for December 21, 2021.
2097	Affordable Housing Reserve Bylaw 2021, No. 2097	First, second and third readings held December 7, 2021.
2098	Ladysmith Ticket Information Utilization Bylaw 2002, No. 1457, Amendment Bylaw 2003, No. 2098	First, second and third readings held December 7, 2021.



Ladysmith & District Historical Society
Box 813
Ladysmith, BC
V9G 1A6

Tel/Fax: 250.245.0100
Email: info@ladysmithhistoricalsociety.ca
Website: ladysmithhistoricalsociety.ca

December 17th 2021

Dear Mayor and Council,

RECEIVED
DEC 16 2021
CITY OF LADYSMITH

The Ladysmith & District Historical Society requests that the Mayor, on behalf of Council, provide a letter of permission and support to the Society for a funding application it wishes to make to the 150 Time Immemorial Grant Program.

The 150 Time Immemorial Grant Program is a \$30 million initiative by the B.C. Government to raise cultural awareness, educate people about our colonial past and its ongoing impacts, advance reconciliation, and promote inclusivity and diversity as a foundational aspect of British Columbia's future.

The LDHS proposes to request \$50,000 under the grant's 'Cultural Heritage Awareness' stream to enable a project titled '*Understanding and Celebrating Diversity within our Community*' focused on historical and contemporary research, examining the legacy of colonialism in "mainstream" heritage narratives, and bringing to the forefront suppressed, untold, or forgotten stories from underrepresented or marginalized groups within our community.

Having identified cultural/marginalized groups, the LDHS proposes to engage consultants to develop dialogue aimed toward making such groups feel welcome, understood and valued within our community. Promotion of understanding and breaking down barriers within the community is to be through collaborative development of educational exhibits, talks and activities in the Museum and Learning Center, the focus of which previously was exclusively 'on the past', but is now changing to 'understanding the present through the past, and charting a way to the future'.

To submit the application, the LDHS requires written confirmation of the Town's permission, as owner of the museum, to carry out the work. The LDHS would also appreciate a statement of support from the Town for the project and grant application. Thank you for your consideration.

Yours,

Quentin H. Goodbody
President, Ladysmith & District Historical Society