

A REGULAR MEETING
OF THE TOWN OF LADYSMITH COUNCIL
AGENDA
6:30 P.M.

Tuesday, March 19, 2024
Ladysmith Seniors Centre
630 2nd Avenue

Pages

1. CALL TO ORDER

Call to Order 6:30 p.m. in Open Session, in order to retire immediately into Closed Session.

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

2. CLOSED SESSION

Recommendation

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

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

3. OPEN MEETING AND ACKNOWLEDGEMENT (7:00 p.m.)

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

Members of the public may attend meetings in person at the Ladysmith Seniors Centre or view the livestream on YouTube:

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

4. AGENDA APPROVAL

Recommendation

That Council approve the agenda for this Regular Meeting of Council for March 19, 2024.

5. RISE AND REPORT- Items from Closed Session

6. MINUTES

6.1 Minutes of the Regular Meeting of Council held March 5, 2024

6

Recommendation

That Council approve the minutes of the Regular Meeting of Council held March 5, 2024.

7. PROCLAMATIONS

7.1 International PURPLE DAY® for Epilepsy Awareness

11

Mayor Stone has proclaimed March 26, 2024 as International PURPLE DAY® for Epilepsy Awareness in the Town of Ladysmith.

8. COMMITTEE MINUTES

8.1 Poverty Reduction Task Group - January 23, 2024

12

Recommendation

That Council receive the minutes of the Poverty Reduction Task Group meeting held January 23, 2024.

8.2 Committee of the Whole - March 12, 2024

14

Recommendation

That Council waive the Grant in Aid Policy prior to approving the Committee of the Whole Grant in Aid recommendations.

Recommendation

That Council approve the allocated amounts of the 2024 Grant in Aid requests as follows:

Art Council of Ladysmith and District (Arts on Avenue)	9,250
Cowichan Family Caregivers Support Society	2,750
Ladysmith and District Historical Society	2,000

Ladysmith and District Marine Rescue Society	3,250
Ladysmith Celebrations Society	10,000
Ladysmith Downtown Business Association	5,000
Ladysmith Family and Friends Society	2,500
Ladysmith Festival of Lights	2,500
Ladysmith Little Theater	2,800
Old English Car Club Central Island Branch	750
Big Brothers Big Sisters Central Vancouver Island	2,250
Crisis Intervention and Public Information Society of Greater Victoria - New Applicant	-
Ladysmith Pride Society - New Applicant	10,000

Recommendation

That Council approve the allocated amount of \$3000 as the 2024 Grant in Aid for the Ladysmith Show and Shine organization.

Recommendation

That Council refer the late Grant in Aid application for waiving of fees from the Ladysmith Lion's Club to the Director of Parks, Recreation & Culture.

Recommendation

That Council approve allocating the \$1500 from the returned 2023 FJCC bursary to fund the Ladysmith Senior Improv Team Grant in Aid request.

Recommendation

That Council write a letter to Island Health requesting a meeting to discuss the possibility of turning the area around the Urgent Care Centre into community gardens.

Recommendation

That Council repeal "Town of Ladysmith Downtown Development Cost Charges Reduction Bylaw, 2011, No. 1781".

Recommendation

That Council direct staff, in consultation with all unionized and non-unionized employees, to develop a Diversity, Equity, and Inclusion Policy for the Town, and that regular and recurring training for staff and Council be a product of that policy.

9. PRESENTATION

9.1 Small Scale Multi-unit Housing

22

Staff will review the new legislation regarding small scale multi-unit housing.

To access the Small Scale Multi-unit Housing Policy Manual please see the link below:

https://www2.gov.bc.ca/assets/gov/housing-and-tenancy/tools-for-government/local-governments-and-housing/ssmuh_provincial_policy_manual.pdf

10. REPORTS

10.1 Proposed Amendments to Corporate Flag Protocol Policy No. 01-0340-A

35

Recommendation

That Council amend the Corporate Flag Protocol Policy No. 01-0340-A to include new wording that states that the Every Child Matters Flag will be flown annually, from September 1-30, under the Stz'uminus Flag at City Hall.

11. BYLAWS

11.1 Bylaw Status Sheet

40

12. NEW BUSINESS

13. QUESTION PERIOD

- A maximum of 15 minutes is allotted for questions.
- Persons wishing to address Council during "Question Period" must be Town of Ladysmith residents, non-resident property owners, or operators of a business.
- Individuals must state their name and address for identification purposes.
- Questions put forth must be related to items on the agenda.
- 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.

14. ADJOURNMENT



MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, March 5, 2024

6:30 P.M.

Ladysmith Seniors Centre
630 2nd Avenue

Council Members Present:

Mayor Aaron Stone
Councillor Ray Gourlay
Councillor Amanda Jacobson

Councillor Duck Paterson
Councillor Marsh Stevens
Councillor Jeff Virtanen

Council Members Absent:

Councillor Tricia McKay

Staff Present:

Allison McCarrick
Erin Anderson
Chris Barfoot
Jake Belobaba

Ryan Bouma
Sue Bouma
Mike Gregory
Andrea Hainrich

1. CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 6:30 p.m., in order to retire immediately into Closed Session.

2. CLOSED SESSION

CS 2024-037

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

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

Motion Carried

3. OPEN MEETING AND ACKNOWLEDGEMENT (7:00 p.m.)

Mayor Stone called this Regular Meeting of Council to order at 7:01 p.m., recognizing with gratitude that it was taking place on the unceded territory of the Stz'uminus First Nation.

Mayor Stone then offered Council the opportunity to recognize the achievements of some young people in the community.

Councillor Virtanen congratulated Marley Bohmer for qualifying for Team Canada by placing third at the Star Talent Dance Competition over the weekend. She will be heading to Poland this fall and competing with the rest of Team Canada.

Councillor Paterson encouraged everyone to attend the Ladysmith Improv Team fundraising event taking place on March 7th at Ladysmith Secondary School. The team recently beat 30 other high school improv teams across Canada in an online competition and will be heading to Ottawa for an in-person competition.

4. AGENDA APPROVAL

CS 2024-038

That Council approve the agenda for this Regular Meeting of Council for March 5, 2024 as amended to include the presentation for Item 7.1., "Fair Health for All Initiative", which was received after publication of the agenda.

Motion Carried

5. RISE AND REPORT- Items from Closed Session

Council rose from Closed Session at 6:51 p.m. without report.

Council rose with report on the following item from a previous closed session held February 6, 2024.

CE 2024-009

That Council:

1. Direct staff to disband the Ladysmith Arts and Heritage Hub Design Steering Committee and notify the members;
2. Approve the modified scope change, as presented by the Director of Parks, Recreation & Culture in the staff report dated February 6, 2024, from the Ladysmith Arts and Heritage Hub project to the option 3 'Heart of the Hub – Phase 2' project formerly known as the Machine Shop and direct staff to present the scope change to the Island Coastal Economic Trust for grant consideration;

3. Rescind Council resolution CE 2020-156, which outlined the former Option 2 tenant layout;
4. Approve the use of the two lower-level studios to be allocated for artists;
5. Upon execution of the amended Investing in Canada Infrastructure Program agreement with the Province for the 'Heart of the Hub' – Phase 2 project, direct staff to provide the Arts Council of Ladysmith & District with a project update; and
6. Rise and report on:
 1. Recommendation No. 1 once committee members are notified;
 2. Recommendation No. 2 if the project scope change is approved by Council; and
 3. Recommendation Nos. 3, 4, and 5 once an executed funding agreement for the Heart of the Hub – Phase 2 project has been received and the project is announced publicly by the Town of Ladysmith.

OPPOSED: Councillor Paterson

6. MINUTES

6.1 Minutes of the Regular Meeting of Council held February 20, 2024

CS 2024-039

That Council approve the minutes of the Regular Meeting of Council held February 20, 2024.

Motion Carried

7. DELEGATIONS

7.1 Andrea Rosato-Taylor, Fair Health for All initiative

Andrea Rosato-Taylor made a presentation to Council on behalf of a community advocacy group that includes the Nanaimo Hospital Foundation regarding the current limitations of the Nanaimo Regional General Hospital.

Ms. Rosato-Taylor reviewed population growth on the island, its effect on the hospital system, and the lack of services available to residents from Chemainus North.

Mayor Stone thanked Ms. Rosato-Taylor for both her presentation and advocacy work and acknowledged that improvements need to be made at the Nanaimo Regional District Hospital.

8. PROCLAMATIONS

8.1 Multiple Myeloma Awareness Month

Mayor Stone proclaimed March 2024 as Multiple Myeloma Awareness Month.

9. COMMITTEE MINUTES

9.1 Parks, Recreation & Culture Advisory Committee - February 21, 2024

CS 2024-040

That Council receive the minutes of the Parks, Recreation & Culture Advisory Committee meeting held February 21, 2024.

Motion Carried

10. REPORTS

10.1 Utility Box Wraps

CS 2024-041

That Council direct staff to bring forward utility box wrap design and respective location recommendations for Council's consideration, including archival photographs, Indigenous, cultural and/or artistic designs, for up to 15 utility boxes.

CS 2024-042

AMENDMENT

That Council amend resolution CS 2024-041 to include 'volunteer recognition' to the list of recommended wrap designs in the resolution.

Amendment Carried

Resolution CS 2024-041, as amended, reads:

That Council direct staff to bring forward utility box wrap design and respective location recommendations for Council's consideration, including archival photographs, volunteer recognition, Indigenous, cultural and/or artistic designs, for up to 15 utility boxes.

Main Motion, as Amended, Carried

10.2 Parks Mower–Tender award cancelation and group purchase

CS 2024-043

That Council direct staff to cancel the tender award with Oakcreek Golf & Turf and to utilize Canoe Procurement Group to source the purchase of a Commercial Tri-Deck Rotary Mower.

Motion Carried

11. BYLAWS

11.1 Bylaws for Adoption

11.1.1 “Financial Plan Bylaw 2024, No. 2172”

CS 2024-044

That Council adopt "Financial Plan Bylaw 2024, No. 2172".

Motion Carried

11.2 Bylaw Status Sheet

12. QUESTION PERIOD

A resident asked about the cost of Item 10.1 - Utility Box Wraps. He also asked about the Financial Plan Bylaw, Item 11.1, and the non-market change.

13. ADJOURNMENT

CS 2024-045

That this Regular Meeting of Council be adjourned at 7:50 p.m.

Motion Carried

CERTIFIED CORRECT

Mayor (A. Stone)

Corporate Officer (S. Bouma)



TOWN OF LADYSMITH

PROCLAMATION

EPILEPSY AWARENESS “PURPLE DAY”

- WHEREAS** *Purple Day is celebrated on March 26 annually, during Epilepsy Awareness Month, to increase the public’s knowledge and understanding of epilepsy and improve the quality of life of British Columbians living with epilepsy; and*
- WHEREAS** *Purple Day was founded in 2008 by Cassidy Megan, a nine-year-old girl from Nova Scotia, who wanted people living with epilepsy to know that they were not alone; and*
- WHEREAS** *People in communities around the world are encouraged to wear purple and host events in support of epilepsy awareness on Purple Day; and*
- WHEREAS** *There are over 50,000 people in British Columbia, over 380,000 people in Canada and over 65 million people worldwide living with epilepsy; and*
- WHEREAS** *The onset of epilepsy can occur at any age and stage of life and does not discriminate against age, gender, race, ethnicity, religion, socioeconomic status, geographic location, or sexual orientation; and*
- WHEREAS** *Purple Day is a health promotion effort to raise awareness of epilepsy and to create a society that embraces the beauty of difference.*
- THEREFORE,** *I, Aaron Stone, Mayor of the Town of Ladysmith, do hereby proclaim Tuesday, March 26th, 2024 as “PURPLE DAY” in the Town of Ladysmith.*

Mayor A. Stone

January 19, 2024

Minutes of the Poverty Reduction Task Group

January 23, 2023, 2:00pm

(Rescheduled from January 17, 2024 due to the snowfall)

Hybrid – [Frank Jameson Community Centre](#), Lower Program Room & Zoom

COMMITTEE MEMBERS PRESENT:

Stephen Cochrane, Stz’uminus First Nation
 Shannon Crowards, Ladysmith Resource Centre Association (LRCA)
 Roberta Bowman, Ladysmith Chamber of Commerce
 Cindy Lise, Our Cowichan Health Network
 Carmen Barclay, LRCA
 Sandra Thomson, Social Planning Cowichan (SPC)
 Rosalie Sawrie, (SPC)

STAFF/COUNCIL PRESENT:

Sue Glenn, Supervisor – Community Programs & Services (staff)
 Councillor Tricia McKay

REGRETS:

Griffin Russell, Island Health
 Gerry Busch, Community Member
 Jacqueline Neligan, Ladysmith Family and Friends (Laff)

CALL TO ORDER AND ACKNOWLEDGEMENT

The facilitator acknowledged with gratitude that this meeting was taking place on the unceded territory of the Stz’uminus First Nation.

AGENDA

That the Poverty Reduction Task Group approve the agenda for the meeting.
Motion carried.

MINUTES

That the Poverty Reduction Task Group approve the Minutes from November 29, 2023 as presented.
Motion carried.

CURRENT BUSINESS

Welcome

- The group introduced themselves and welcomed Carmen Barclay, the new Executive Director from the LRCA.

2023/2024 Grant Activities:

- Dinner & Dialogue #2 scheduled for January 30, 2023 starting at 5:30pm at Aggie Hall
 - o A review of the event outline, logistics and discussion took place in preparation for the event.
 - o Delegation with Stz’uminus Chief and Council was postponed due to snow, will request February 29, 2024 for the third Dinner & Dialogues at the Stz’uminus Community Centre.

- Employer Seminar Series – the first session on the Benefits of Living Wage scheduled for Tuesday, January 30th from 11:30am to 1pm at Jas Café.
 - o A discussion took place on the event outline and logistics.
 - o Additional sessions we also discussed but not confirmed due to confirmation required with presenters and venue availability. A request has been submitted proposing May 21 with Minister Sheila Malcolmson on the TogetherBC updates.

PRTG membership

- A discussion took place about potential new members and a request was made for a description that is shareable for recruiting others.

Action Items

- Prepare for and host January 30, 2024 Benefits of Living Wage Employer Seminar and Wednesday, January 31, 2024 Dinner and Dialogue #2.
- Reschedule a delegation to present the project to Stz'uminus Chief & Council
- Continue preparations for Dinner & Dialogue #3-4 and remaining three sessions for the Employer Seminar Series.

Meeting adjourned at 3:26pm

Next Meeting scheduled for February 21, 2024 at 1:30pm.

Facilitator (Rosalie Sawrie)

RECEIVED:

Corporate Officer (Sue Bouma)

Committee of the Whole Recommendations to Council March 19, 2024

At its March 12, 2024 meeting, the Committee of the Whole recommended that Council:

1. Approve the allocated amounts of the 2024 Grant in Aid requests as follows:

Art Council of Ladysmith and District (Arts on Avenue)	9,250
Cowichan Family Caregivers Support Society	2,750
Ladysmith and District Historical Society	2,000
Ladysmith and District Marine Rescue Society	3,250
Ladysmith Celebrations Society	10,000
Ladysmith Downtown Business Association	5,000
Ladysmith Family and Friends Society	2,500
Ladysmith Festival of Lights	2,500
Ladysmith Little Theater	2,800
Old English Car Club Central Island Branch	750
Big Brothers Big Sisters Central Vancouver Island	2,250
Crisis Intervention and Public Information Society of Greater Victoria - New Applicant	-
Ladysmith Pride Society - New Applicant	10,000

2. Approve the allocated amount of \$3000 as the 2024 Grant in Aid for the Ladysmith Show and Shine organization.
3. Refer the late Grant in Aid application for waiving of fees from the Ladysmith Lion's Club to the Director of Parks, Recreation & Culture.
4. Approve allocating the \$1500 from the returned 2023 FJCC bursary to fund the Ladysmith Senior Improv Team Grant in Aid request.
5. Write a letter to Island Health requesting a meeting to discuss the possibility of turning the area around the Urgent Care Centre into community gardens.
6. Repeal "Town of Ladysmith Downtown Development Cost Charges Reduction Bylaw, 2011, No. 1781".
7. Direct staff, in consultation with all unionized and non-unionized employees, to develop a Diversity, Equity, and Inclusion Policy for the Town, and that regular and recurring training for staff and Council be a product of that policy.





COMMITTEE OF THE WHOLE MEETING MINUTES

Tuesday, March 12, 2024

5:31 P.M.

Ladysmith Seniors Centre
630 2nd Avenue

Council Members Present:

Councillor Marsh Stevens, Chair
Councillor Amanda Jacobson
Mayor Aaron Stone

Councillor Ray Gourlay
Councillor Duck Paterson
Councillor Jeff Virtanen

Council Members Absent:

Councillor Tricia McKay

Staff Present:

Allison McCarrick
Erin Anderson
Chris Barfoot
Jake Belobaba
Ryan Bouma

Chris Geiger
Trish McConnell
Sue Bouma
Andrea Hainrich

1. **CALL TO ORDER AND ACKNOWLEDGEMENT**

Councillor Stevens, Chair, called this Committee of the Whole meeting to order at 5:31 p.m., and acknowledged with gratitude that it was being held on the unceded territory of the Stz'uminus First Nation.

2. **AGENDA APPROVAL**

CW 2024-011

That the agenda for this March 12, 2024 Committee of the Whole meeting be approved as amended to include under item 5.1 – “Grant in Aid Requests”, the Ladysmith Pride Society budget estimate.

Motion Carried

3. MINUTES

3.1 Minutes of the Committee of the Whole Meeting held January 16, 2024

CW 2024-012

That the minutes of the Committee of the Whole Meeting held January 16, 2024 be approved.

Motion Carried

4. RCMP FAREWELL AND WELCOME

Staff Sergeant Tim Desaulniers introduced Corporal Tracy Dubnyk, who will be taking over as the Acting Ladysmith Detachment Commander. Corporal Dubnyk spoke about her history with Ladysmith and with the RCMP and advised that she will be acting in the role until it is filled with a permanent replacement.

Chair Stevens thanked S./Sgt. Desaulniers for his service to the community and welcomed Sergeant Dubnyk to the role.

5. REPORTS

5.1 2024 Grant in Aid Requests

The Committee agreed to consider separately the Grant in Aid request for the Ladysmith Show and Shine organization due to Councillor Paterson's involvement with the organization. They then discussed the grant-in-aid requests for 2024 and made tentative allocations to the various organizations prior to finalizing their decisions.

CW 2024-013

That the Committee recommend that Council approve the allocated amounts of the 2024 Grant in Aid requests as follows:

Art Council of Ladysmith and District (Arts on Avenue)	9,250
Cowichan Family Caregivers Support Society	2,750
Ladysmith and District Historical Society	2,000
Ladysmith and District Marine Rescue Society	3,250
Ladysmith Celebrations Society	10,000
Ladysmith Downtown Business Association	5,000
Ladysmith Family and Friends Society	2,500
Ladysmith Festival of Lights	2,500
Ladysmith Little Theater	2,800
Old English Car Club Central Island Branch	750
Big Brothers Big Sisters Central Vancouver Island	2,250
Crisis Intervention and Public Information Society of Greater Victoria - New Applicant	-
Ladysmith Pride Society - New Applicant	10,000

Motion Carried

Councillor Paterson declared a conflict of interest, due to his involvement with the Ladysmith Show and Shine organization, and vacated the meeting at 6:18 p.m.

CW 2024-014

That the Committee recommend that Council approve the allocated amount of \$3000 as the 2024 Grant in Aid for the Ladysmith Show and Shine organization.

Motion Carried

OPPOSED: Councillor Jacobson

Councillor Paterson returned to the meeting at 6:19 p.m.

CW 2024-015

That the Committee recommend that Council refer the late Grant in Aid application for waiving of fees from the Ladysmith Lion's Club to the Director of Parks, Recreation & Culture.

Motion Carried

5.1.1 New Business - Ladysmith Senior Improv Team - Grant in Aid Application

CW 2024-016

That the Committee recommend that Council approve allocating the \$1500 from the returned 2023 FJCC bursary to fund the Ladysmith Senior Improv Team Grant in Aid request.

Motion Carried

CW 2024-017

That the Committee refer the Grant in Aid policy to a future Committee of the Whole Meeting.

Motion Carried

OPPOSED: Mayor Stone and Councillor Gourlay

5.2 Permissive Tax Exemption Policy Discussion

CW 2024-018

That the Committee recommend that Council amend the Permissive Tax Exemption Policy to specify that affordable housing permissive tax exemptions would only apply to the percentage of units below market value.

Motion Defeated

OPPOSED: Mayor Stone, Chair Stevens, and Councillors Jacobson and Virtanen.

By unanimous consent the Committee recessed at 7:26 p.m. for a short break. The meeting reconvened at 7:31 p.m.

5.3 Pavement Priorities 2024

CW 2024-019

That the Committee receive the staff report dated March 12, 2024 from the Director of Infrastructure Services, regarding 2024 paving priorities.

Motion Carried

5.4 Protective Services Department Report

CW 2024-020

That the Committee receive the report dated March 12, 2024 from the Manager of Protective Services regarding the activities of the Protective Services Department.

Motion Carried

6. COUNCIL SUBMISSIONS

6.1 Community Gardens at the Urgent Care Centre

Councillor Paterson discussed the current community gardens at the Little League Field, and the potential to expand to the Urgent Care Centre based on the need in the community.

CW 2024-021

That the Committee recommend that Council write a letter to Island Health requesting a meeting to discuss the possibility of turning the area around the Urgent Care Centre into community gardens.

Motion Carried

6.2 Discussion on Bylaw 1781

CW 2024-022

That the Committee recommend that Council repeal "Town of Ladysmith Downtown Development Cost Charges Reduction Bylaw, 2011, No. 1781".

Motion Carried

6.3 Diversity, Equity and Inclusion Policy

CW 2024-023

That the Committee recommend that Council direct staff, in consultation with all unionized and non-unionized employees, to develop a Diversity, Equity, and Inclusion Policy for the Town, and that regular and recurring training for staff and Council be a product of that policy.

Motion Carried

7. ADJOURNMENT

CW 2024-024

That this Committee of the Whole Meeting be adjourned at 8:15 p.m.

Motion Carried

CERTIFIED CORRECT

Chair (Councillor M. Stevens)

Corporate Officer (S. Bouma)

Provincial Housing Legislation



New Legislation Affecting Local Governments

- Bill 44: Housing Statutes (Residential Development) Amendment Act
- Bill 35: Short Term Rental Accommodations Act
- Bill 46: Housing Statutes (Development Financing) Amendment Act
- Municipal Affairs Statutes Amendment Act (2021)



Bill 44 Housing Statutes Amendment Act

- Small Scale Multi Unit Housing (SSMUH) **(Mandatory with implementation options)**
 - Defines “Restricted Zones” as zones allowing only duplex or single-family dwellings.
 - Within urban containment boundary, Zoning must allow:
 - 3 units in restricted zones on all lots less than 280m²
 - 4 units in restricted zones on all lots larger than 280m²
 - Outside of urban containment boundary, zoning must allow coach house, secondary suite, or both on all lots in restricted zones.
 - Exemptions and extensions apply (lot size, servicing and infrastructure capacity).
 - Regulations for development permits, setback, height etc., must not unduly restrict.
 - **Deadlines:**
 - June 1, 2024: Applications for Infrastructure extensions
 - June 30, 2024: Applications for “extraordinary circumstances” extensions (e.g. wildfire)
 - June 30, 2024: Zoning bylaws must be updated
- Prohibition on public hearings for housing projects consistent with OCP and to adopt SSMUH-related bylaws **(Mandatory)**
 - **Effective immediately**
- Housing Needs Reports, OCP’s and Zoning Bylaws: **(Mandatory)**
 - Time horizon for Housing Needs Report increased from 5 years to 20 years
 - Must update OCP and zoning to be consistent with Housing Needs Report
 - Interim Housing Needs Report and OCP/zoning updates required.
 - **Deadlines:**
 - January 1, 2025 Interim Housing needs Report Completed
 - December 31, 2025 Update OCP and Zoning based on Interim Housing Needs Report

Bill 35: Short Term Rental Accommodations Act

- Display of Business License and Platform Accountability for Short Term Rentals (STR's) (Mandatory)
 - Listings must display a valid business license number and platforms must remove listings without a business license
 - Effective May 1, 2024
- Data Sharing with Local Governments (Optional)
 - Coming Summer 2024. Local Governments can “opt in”.
- Increased local government fines from \$1,000 to \$3,000 (Optional)
- Principal Residence Requirement (Optional)
- No non-conforming use status for STR's (Mandatory)
- Provincial STR compliance unit will track compliance, issue orders, administer penalties.



Bill 46: Housing Statutes (Development Financing) Amendment Act

- New DCC Categories (Optional) (Available now)
 - Fire Halls
 - Police facilities
 - Solid waste facilities
 - Shared provincial highway projects
- Amenity Cost Charges (ACC's) (Optional) (Available now)
 - Similar to DCC program but for amenities—subject to similar oversights and adoption procedures (e.g. provincial approval)
 - Intended as alternative to negotiating amenities as conditions of rezoning
 - Can be used to fund recreational facilities etc.



Municipal Affairs Statutes Amendment Act (Adopted 2021)

- Staff-Issuable Development Variance Permits (DVP's) for “Minor” DVP's (Optional) (Available now)

Financial Support

- One-time payment of \$192,000 from the Province to implement SSMUH and accelerate housing construction
- Can be used for:
 - Staffing
 - Legal
 - Software
 - Process improvements
 - Consulting
 - Etc.
- Allocations to date:
 - \$10,000-\$25,000 needed for legal review of bylaws
 - Hiring for temporary planning position
 - Engineering consulting for infrastructure analyses



Recommendations: SSMUH

Regulation	Recommendation	Rationale
<p>3 units in restricted zones on all lots less than 280m²</p>	<ul style="list-style-type: none"> • Allow single-family dwelling + suite + coach house • Update DP requirements as appropriate. 	<ul style="list-style-type: none"> • Mandatory. • Zoning already allows suites in duplexes. • Easiest/fastest. Frees up resources for “optional” projects (e.g. ACC’s) • Consistent with OCP. • Consistent with existing single-family character. • Diversity of housing types and tenures. • Other options can still be explored after June 30th 2024
<p>4 units in restricted zones on all lots larger than 280m²</p>	<ul style="list-style-type: none"> • Allow: <ul style="list-style-type: none"> • single-family dwelling + suite + coach house; <u>or</u> • duplex (which can already have suites) = 4 units. • Update DP requirements as appropriate. • Determine exemptions/extensions needed and apply as required. 	
<p>Coach houses or secondary suites or allowed on all single-family lots outside urban containment boundary.</p>	<p>Amend zoning bylaw if necessary (likely isn’t).</p>	<p>Mandatory</p>

Recommendations: Housing Needs Report, OCP, and Zoning

Regulation	Recommendation	Rationale
Interim Housing Needs report	<ul style="list-style-type: none"> • Complete report • Explore opportunities to partner with other local governments again 	Mandatory
Updated OCP and Zoning to reflect Housing Needs Reports	<ul style="list-style-type: none"> • Update OCP and zoning bylaw to reflect interim housing needs report 	

Recommendations: Short Term Rentals

Regulation	Recommendation	Rationale
Display of Business License and Platform Accountability	<ul style="list-style-type: none"> Update bylaws to make existing rules clearer and aligned with provincial terminology. No other action Required. Province will enforce. 	<ul style="list-style-type: none"> Business licenses already required STR's already prohibited in homes Illegal nightly rentals occurring. Rental vacancy rate is 0.7% OCP policy 3.14: Monitor the impact of STR's on housing supply Substantial provincial assistance. Prevents new SSMUH units from becoming STR's
Data Sharing	<ul style="list-style-type: none"> "Opt in" Issue fines and "take down" orders as needed. 	
Increased fines from \$1,000 to \$3,000	<ul style="list-style-type: none"> Update bylaws to increase fines 	
Principal Residence Requirement	<ul style="list-style-type: none"> No action 	<ul style="list-style-type: none"> Not needed. STR's in homes already prohibited.
Removal of Non-conforming Use	<ul style="list-style-type: none"> No action 	N/A

Recommendations: Development Finance

Regulation	Recommendation	Rationale
New DCC's	<ul style="list-style-type: none"> Update DCC' bylaw to include DCC charge for New Fire Hall. Seek cost-sharing agreements with the Province for key provincial highway projects and adopt DCC for Town portion. 	<ul style="list-style-type: none"> 2021 Fire Department Excellence Review: new fire hall within 5-10 years Will likely accelerate key intersection upgrades (e.g. South Davis, Gatacre pedestrian overpass) Can be done in tandem with DCC review under new OCP.
ACC's	<ul style="list-style-type: none"> Adopt a ACC Bylaw 	<ul style="list-style-type: none"> Fewer rezoning applications = fewer opportunities to acquire amenities. Will establish more consistent funding for community amenities/recreation facilities

Recommendations: Development Procedures

Regulation	Recommendation	Rationale
Prohibition on public hearings for housing projects consistent with OCP	<ul style="list-style-type: none"> Amend Development Procedures Bylaw to reflect new requirements 	<ul style="list-style-type: none"> Good housekeeping Consistency with Provincial Legislation
Delegated DVP's	<ul style="list-style-type: none"> Amend applicable bylaws to delegate "minor" DVP's to staff. 	<ul style="list-style-type: none"> Efficiencies needed to deal with increase in applications resulting from provincial regulation changes Substantially speeds up application processing times.
More Delegated DP's	<ul style="list-style-type: none"> Increase range of staff-issuable DP's. Including allowing staff issuable DP's for residential developments of 4 units or less. 	



Resolution:

1. That Council:

- a) direct staff to:
 - a) “opt in” to the provincial data sharing program for short-term rentals; and
- b) direct staff to bring forward for Council consideration:
 - a) zoning amendments consistent with provincial SSMUH requirements to allow duplexes in restricted zones on all lots between 280-4050m² in size;
 - b) zoning amendments consistent with provincial SSMUH requirements to allow one single-family dwelling, one secondary suite and one coach house in restricted zones on lots smaller than 280m²;
 - c) OCP amendments to establish align development permit requirements consistent with new SSMUH requirements;
 - d) amendments to relevant bylaws to increase fines for illegal nightly rentals, and make existing STR rules clearer and aligned with provincial terminology;
 - e) an Amenity Cost Charge Bylaw;
 - f) amendments to the Town’s DCC bylaw to allow for a DCC charge for a new Fire Hall and shared provincial highway projects;
 - g) amendments to the applicable bylaws to delegate the approval of “minor” DVP’s to staff; and
 - h) amendments to the applicable bylaws to increase range of Staff-issuable DP’s including DP’s for residential developments of four units or less.

STAFF REPORT TO COMMITTEE OF THE WHOLE

Report Prepared By: Sue Bouma, Manager of Corporate Services
Reviewed By: Allison McCarrick, CAO
Meeting Date: March 19, 2024
File No: 0340-50
Re: **Proposed Amendments to Corporate Flag Protocol Policy No. 01-0340-A**

RECOMMENDATION:

That Council amend the Corporate Flag Protocol Policy No. 01-0340-A to include new wording that states that the Every Child Matters Flag will be flown annually, from September 1-30, under the Stz’uminus Flag at City Hall.

EXECUTIVE SUMMARY:

Staff are seeking authorization to amend the Corporate Flag Protocol Policy to expand the current practice regarding the Every Child Matters Flag. Currently this flag is flown during the month of September beneath the Stz’uminus Flag at Transfer Beach. The proposed amendment would involve flying the Every Child Matters Flag beneath the Stz’uminus flag at City Hall for the same time period. This amendment would be further evidence of the Town’s support of the initiative.

PREVIOUS COUNCIL DIRECTION:

Resolution	MeetingDate	ResolutionDetails
CW 2023-056	2023-07-11	That the Committee recommend that Council make the following amendments to the Corporate Flag Protocol Policy No. 01-0340-A: 1. Remove the condition for half-masting upon the death of a current Town employee by deleting "when their death has occurred as a direct result of performing their duties" from the second bullet of item 2.2; and 2. Add new wording under section 3.9 that states the following: o Stz’uminus First Nation Flag to be flown permanently at City Hall; and o Every Child Matters Flag – to be flown September 1-30, at Transfer Beach under the Stz’uminus First Nation Flag.



ALTERNATIVES:

Council can choose to:

1. Not amend the Policy at this time.
2. Request that staff include other amendments to the Policy.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The Flag Policy amendments outlined in this report provide an opportunity for the Town to further recognize and honour the Stz'uminus First Nation in the spirit of Reconciliation.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Corporate Officer has the responsibility and authority to manage the flying of guest flags, half-masting and any other discretionary matters. Parks, Recreation & Culture (Facilities) raise and lower the flags and ensure the inventory of flags flown throughout the Town is maintained.

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|---|--|
| <input type="checkbox"/> Core Infrastructure | <input type="checkbox"/> Economy |
| <input type="checkbox"/> Official Community Plan Implementation | <input checked="" type="checkbox"/> Leadership |
| <input type="checkbox"/> Waterfront Area Plan | <input type="checkbox"/> Not Applicable |

I approve the report and recommendations.

Allison McCarrick, Chief Administrative Officer

ATTACHMENT:

- A. Corporate Flag Protocol Policy No. 01-0340-A including proposed amendment

ATTACHMENT A

TOPIC:	Corporate Flag Protocol		
POLICY No.:	01 0340 A		
APPROVED BY:	Council	RESOLUTION No.:	CS 2014-292
ORIGINAL DATE:	2014-08-18	AMENDMENT DATE:	
AMENDED:	2021.01.19 CS 2021-021; 2023.07.18 CS 2023-184		

PURPOSE

This policy sets out the Town of Ladysmith's policies and procedures for flying flags on all Town-owned buildings and structures.

POLICY**1. General Flag Etiquette**

1.1. The Canadian Flag shall always be displayed in the position of priority.

- When flags are displayed at the same height, the Canadian flag is flown on the left as seen by the observer of the flags.
- In a line of three flags, the Canadian flag should be in the centre.
- When flags are displayed on an angle such that the centre flag is higher than the other flags, the Canadian flag is flown in the centre.

1.2. It is acceptable to fly the Canadian flag at night.

2. Half-masting

2.1. Flags are flown at half-mast as a sign of mourning. The flag is brought to the half-mast position by raising it to the top of the mast and immediately lowering it slowly to half-mast. When one flag is flown at half-mast, all flags flown together should also be at half-mast.

2.2. All Canadian flags that are displayed on flagpoles with halyards will be flown at half-mast on the following occasions:

- On the death of a Sovereign or a member of the Royal Family related in the first degree to the Sovereign, the Governor General, the Prime Minister, a former governor general, a former prime minister, or a federal cabinet minister;
- On the death of the Lieutenant Governor or the Premier;
- On the death of a Member of the House of Commons or a Member of the Legislative Assembly when that member represents the Town of Ladysmith;
- On the death of the Mayor, former Mayor, a current Town of Ladysmith Councillor or a former Town Councillor;
- On the death of a Town of Ladysmith employee;
- On Remembrance Day (November 11) from 11 a.m. until sunset;
- On the Day of Mourning for Persons Killed or Injured in the Workplace (April 28) from sunrise to sunset;
- On the National Day of Remembrance and Action on Violence Against Women (December 6) from sunrise to sunset; and,

ATTACHMENT A

- On the death of a person to whom Council wishes to bestow this honour or an event that Council wishes to recognize.
- 2.3. In the case of a death, flags shall be flown at half-mast from the day of the death until sunset on the day of the funeral or the seventh day following the death, whichever occurs first.
- 2.4. The flags to be flown at half-mast will include all flags flown on Town-owned properties and all of the flags flown on the Town's flag islands.
- 2.5. In the event of a death not specified in this policy, the Town of Ladysmith will follow the direction of the Federal Department of Canadian Heritage.
- 2.6. When half-masting has been deemed appropriate based on 2.2 or 2.5 above, the Corporate Officer or designate will notify the following by e-mail:
- Town Council
 - Senior Management Team
 - Manager of Facilities (to arrange for lowering the flags)
 - Ladysmith Fire/Rescue Department
 - Ladysmith Detachment of the RCMP
- 2.7. Ladysmith Fire/Rescue may lower their flag to half-mast for any "Line of Duty Death" of an emergency responder (Fire, Police or Ambulance) or a longstanding member.
- 3. Guest Flags**
- 3.1. At the direction of the Council, the Town will fly the flags of other sovereign nations, non-profit societies and other local organizations upon request.
- 3.2. Flags of other sovereign nations will be displayed at City Hall. In these cases, the flags normally flown will be removed so that only the guest flag will be flown in that location.
- 3.3. In the event of an overlap, more than one guest flag may be flown. All guest flags will be displayed at City Hall.
- 3.4. The Town reserves the right to decide whether or not to fly the flag of a nation when there is political unrest or conflict in that country. The decision to fly the flag of any nation neither implies nor expresses support for the politics of those nations.
- 3.5. Flags or banners of non-profit organizations may be displayed at City Hall or on other flag stations throughout the Town.
- 3.6. Parties wishing to have their flags displayed by the Town are required to supply the flag(s). These flags must be in good condition.

ATTACHMENT A

- 3.7. Events involving flag raising ceremonies may be held at City Hall upon request and at the Town's discretion. Corporate Services should be contacted to make arrangements for such events.
- 3.8. The Corporate Officer or designate shall notify the Manager of Facilities of all flag raising ceremonies pertaining to City Hall.
- 3.9. The following guest flags shall be flown annually:
- 3.9.1. At City Hall:
- Stz'uminus First Nation Flag – permanently flown at City Hall
 - Every Child Matters Flag – September 1 -30, under the Stz'uminus Flag
 - Pride Flag – June 1-30
 - Metis Flag (Louis Riel Day) – November 16; and
- 3.9.2 At Transfer Beach:
- Every Child Matters Flag – September 1 -30, under the Stz'uminus Flag

4. Responsibility and Maintenance of Flags

- 4.1. The Corporate Officer has the responsibility and authority to manage the flying of guest flags, half-masting and any other discretionary matters.
- 4.2. Maintenance of the flags flown at all Town-owned sites is the responsibility of the Parks, Recreation & Culture (Facilities) Department.
- 4.3. For operational reasons, the raising and lowering of flags will occur during the regular work hours of the Parks, Recreation & Culture (Facilities) Department.

**BYLAW STATUS SHEET
March 19, 2024**

Bylaw #	Description	Status
2131	“Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 54) 2022, No. 2131” (10940 Westdowne Rd.) Changes zoning from Rural Residential (RU-1) to Manufactured Home Park (MHP-1).	First and second readings, December 20, 2022. Public Hearing and third reading December 19, 2023. MOTI approval required.
2133	“Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 56) 2023, No. 2133”. Allows convenience store at 1132-1142 Rocky Creek Rd.	First and second readings, January 10, 2023. Public Hearing required. MOTI approval required.
2161	“Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2023, No. 2161”. To expand the mobile home park at 10940 Westdowne Road.	First and second readings, November 21, 2023. Second reading rescinded, second reading as amended, December 5, 2023. Public Hearing and third reading December 19, 2023.
2166	“Town of Ladysmith City Hall Loan Authorization Bylaw 2024, No. 2166”. To enable the Town to borrow up to \$13.5 million dollars over a term of 30 years to fund the construction of a new City Hall.	First, second and third readings, January 23, 2024. Inspector of Municipalities approval received February 26, 2024. Approval of the electors required through an Alternative Approval Process.