

**THE COMMITTEE OF THE WHOLE
AGENDA
6:30 P.M.**

**Tuesday, March 11, 2025
Ladysmith Seniors Centre
630 2nd Avenue
Pages**

1. CALL TO ORDER AND ACKNOWLEDGEMENT

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>.

2. AGENDA APPROVAL

Recommendation

That the agenda for this March 11, 2025 Committee of the Whole meeting be approved.

3. MINUTES

3.1 Minutes of the Committee of the Whole Meeting held January 28, 2025

3

Recommendation

That the minutes of the Committee of the Whole meeting held January 28, 2025 be approved.

4. REPORTS

4.1 Short-term Rental Regulation

8

Recommendation

That the Committee recommend that Council:

1. Give first and second readings to "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205"; and
2. Undertake consultation and a public hearing pursuant to the *Local Government Act*.

4.2 Amendment to “Dog Licencing, Control & Pound Bylaw 1996, No. 1155”

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Recommendation

That the Committee recommend that Council direct staff to prepare a bylaw to amend “Dog Licencing, Control and Pound Bylaw 1996, No. 1155”, to ensure its compliance with the “*British Columbia Guide Dog and Service Dog Act*” [SBC 2015].

4.3 Protective Services Annual Report 2024

33

Recommendation

That the Committee receive the report dated March 11, 2025 from the Manager of Protective Services regarding the 2024 activities of the Protective Services Department.

5. COUNCIL SUBMISSIONS

5.1 Condition of Some Older Buildings in the Downtown Core

Councillor Paterson has requested that the Committee discuss the condition and resulting safety considerations for some of the older buildings in the downtown core.

6. UNFINISHED BUSINESS

7. NEW BUSINESS

8. ADJOURNMENT



COMMITTEE OF THE WHOLE MEETING MINUTES

Tuesday, January 28, 2025

6:31 P.M.

Ladysmith Seniors Centre
630 2nd Avenue

Council Members Present:

Councillor Jeff Virtanen, Chair
Councillor Ray Gourlay
Councillor Amanda Jacobson

Acting Mayor Tricia McKay
Councillor Duck Paterson

Council Members Absent:

Councillor Marsh Stevens

Staff Present:

Allison McCarrick
Erin Anderson
Chris Barfoot
Jake Belobaba
Tim Tanton

Chris Geiger
Sue Bouma
Nick Pescod
Hayley Young

1. CALL TO ORDER AND ACKNOWLEDGEMENT

Councillor Virtanen, Chair, called this Committee of the Whole meeting to order at 6:31 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-001

That the agenda for this January 28, 2025 Committee of the Whole meeting be approved.

Motion Carried

3. MINUTES

3.1 Minutes of the Committee of the Whole Meeting held November 12, 2024

CW-002

That the minutes of the Committee of the Whole meeting held November 12, 2024 be approved.

Motion Carried

4. PRESENTATIONS

4.1 RCMP 4th Quarter 2024 Report

Acting Detachment Commander Tracy Dubnyk of the Ladysmith RCMP presented the 4th Quarter Report for 2024. She compared the statistics to the previous year, explaining the reasons behind any increases and highlighting preventative measures, such as encouraging citizens to lock their cars and keep valuables out of sight.

Acting Commander Dubnyk also announced that this would be her last month in the role. She will introduce Staff Sergeant Trevor Bush, who will be taking over the permanent position of Detachment Commander, at the February 4th Regular Council Meeting.

CW-003

That the Committee receive the RCMP Report for the months October, November and December of 2024.

Motion Carried

5. REPORTS

5.1 2025 Grant in Aid Requests

CW-004

That the Committee consider separately the Grant in Aid requests for Cops for Cancer/Tour De Rock and the Ladysmith Show & Shine Society due to Councillor Patterson's involvement with the organizations.

Motion Carried

The Committee discussed the grant-in-aid requests for 2025 and made tentative allocations to the various organizations prior to finalizing their decisions.

Councillor Paterson recused himself at 7:18 p.m. prior to discussions about the Cops for Cancer/Tour de Rock and Ladysmith Show & Shine Society's' grant allocations.

Councillor Paterson returned to the meeting at 7:21 p.m.

CW-005

That the Committee recommend that Council approve the allocated amounts of the 2025 Grant in Aid requests as follows:

Art Council of Ladysmith and District	6,938
Big Brothers Big Sisters of Central Vancouver Island	1,688
Friends of Holland Creek Society	2,000
Ladysmith & District Historical Society	1,500
Ladysmith & District Marine Rescue Society	2,438
Ladysmith Celebrations Society	7,500
Ladysmith Chemainus Swim Club Society	2,400
Ladysmith Community Garden Society	5,000
Ladysmith Downtown Business Association	3,750
Ladysmith Family & Friends	1,875
Ladysmith Festival of Lights Society	1,875
Ladysmith Little Theatre	-
Ladysmith Pilots Baseball Club	5,000
Ladysmith Pride Society	7,500
Mid-Island Air Search and Rescue Society	3,120
Old English Car Club of BC - Central Island Branch	563
Take A Hike Youth Mental Health Foundation	2,500

Motion Carried

Councillor Paterson recused himself at 7:23 p.m. prior to the Committee voting on grant allocations to Cops for Cancer/Tour De Rock and the Ladysmith Show & Shine Society.

CW-006

That the Committee recommend that Council approve the allocated amount of \$2000 as the 2025 Grant in Aid for the Cops for Cancer/Tour de Rock organization.

Motion Carried

CW-007

That the Committee recommend that Council approve the allocated amount of \$2250 as the 2025 Grant in Aid for the Ladysmith Show and Shine organization.

Motion Carried

Councillor Paterson returned to the meeting at 7:24 p.m.

5.2 Building Inspector's Report to December 31, 2024

CW-008

That the Committee receive the Building Inspector's Report for the months September to December 2024.

Motion Carried

5.3 Ladysmith Fire/Rescue Reports for August to December 2024

CW-009

That the Committee receive the Ladysmith Fire/Rescue Reports for the months August, September, October, November and December 2024.

Motion Carried

5.4 Coastal Animal Control Services Reports for July to December, 2024

CW-010

That the Committee receive the Coastal Animal Control Services Reports for the months July, August, October, November and December 2024.

Motion Carried

5.5 2023-2026 Strategic Priorities Update

CW-011

That the Committee receive the 2023-2026 Strategic Priorities Update dated January 28, 2025.

Motion Carried

6. NEW BUSINESS

6.1 Food Bank Fundraiser

Councillor Paterson encouraged Council to participate in the fundraiser for the food bank by collecting donations of toilet paper.

7. ADJOURNMENT

CW-012

That this Committee of the Whole Meeting be adjourned at 7:35 p.m.

Motion Carried

CERTIFIED CORRECT

Chair (Councillor J. Virtanen)

Corporate Officer (S. Bouma)

STAFF REPORT TO COMMITTEE OF THE WHOLE

Report Prepared By: Jake Belobaba, Director of Development Services
Reviewed By: Allison McCarrick, CAO
Meeting Date: March 11, 2025
File No: 3900-16/3360-25-02
RE: Short-term Rental Regulation

RECOMMENDATION:

That the Committee recommend that Council:

1. Give first and second readings to “Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205”; and
2. Undertake consultation and a public hearing pursuant to the *Local Government Act*.

EXECUTIVE SUMMARY:

This report presents a regulatory framework to execute Council’s direction under Resolution CS 2024-180. Specifically, the report contains a draft of Bylaw No. 2205 which, if approved, will establish a Temporary Use Permit (TUP) program to allow a limited number of Short-Term Rentals (STR’s) in zones where they are not currently permitted. The proposed regulations are intended to align with the CVRD’s draft Workforce Housing Strategy which was referred to Council in August of 2024.

The proposed regulatory framework preempts new Provincial regulations under the *Short-Term Rental Accommodations Act (STRAA)* that take effect May 1, 2025 and will prevent unauthorized Short-Term Rentals from listing on platforms such as AirBnB and VRBO.

PREVIOUS COUNCIL DIRECTION:

Resolution	Meeting Date	Resolution
CS 2024-054	2024-03-19	That Council 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 align development permit requirements to be 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;

Resolution	Meeting Date	Resolution
		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" DVPs to staff; and h) amendments to the applicable bylaws to increase range of staff-issuable DPs, including DPs for residential developments of four units or less.
CS 2024-180	2024-08-06	That Council: 1. Give first, second and third readings to "Short-Term Rental Bylaw, 2024, No. 2188"; 2. Pursuant to Section 59 of the <i>Community Charter</i> : a. Receive written representations prior to adoption of Bylaw 2188; and b. Direct staff to publish notice, no more than 10 and no less than 3 days prior to final consideration of Bylaw 2188: i. online; and ii. in one issue of the Ladysmith Chronicle; and 3. Direct staff to bring forward amendments to "Official Community Plan Bylaw 2022, No. 2200" for Council consideration that: a. Establish a Temporary Use Permit program to allow the conversion of a limited number of dwelling units outside of zones where "tourist accommodation" is a permitted use, to Short-Term Rentals; and b. Establish policies for considering applications under recommendation 3(a) that: i. prioritize the protection of long-term housing; and ii. consider temporary worker housing, tourism offerings, impacts on residential neighbourhoods, impacts on existing and proposed tourism offerings and similar issues.
CS 2024-199	2024-09-03	That Council adopt "Short-Term Rental Bylaw, 2024, No. 2188".
CS 2024-207	2024-09-24	That Council support moving the Cowichan Region Workforce Housing Strategy initiative forward.
CW 2024-045	2024-09-10	That the Committee recommend that Council provide a resolution in support of moving the Cowichan Region Workforce Housing Strategy initiative forward.
CS 2024-182	2024-08-06	That Council receive the Cowichan Region Workforce Housing Strategy and companion documents presented at the CVRD Committee of the Whole meeting on June 26, 2024 and shared with municipalities as part of the engagement process prior to the strategy's implementation.
CS 2024-183	2024-08-06	That Council invite Barry O'Riordan, CVRD Manager of Economic Development, and/or CitySpaces Consulting to give a presentation on the Cowichan Region Workforce Housing Strategy at the September Committee of the Whole meeting.

INTRODUCTION/BACKGROUND:

Existing regulations for STR's in Ladysmith

Official Community Plan

Policy 3.14 of the OCP is a housing policy that specifically applies to STR's:

“3.14. Monitor the impact of short-term rental accommodation on long-term rental housing supply. Consider the short-term rental recommendations of CVRD’s Workforce Housing Strategy (2022) once complete.”

Section 3 of Part D of the OCP lists policy 3.14 as a “short-term” implementation action, i.e. intended to be completed within three years of the adoption of the OCP. Monitoring of STR’s was made possible through the Province’s Short Term Rental Data Portal (described below) and the CVRD’s Workforce Housing Strategy is nearing completion. Strategy #3 of the [current draft of the Workforce Housing Strategy](#) recommends adopting a business licencing program and providing opportunities for STR’s through TUP’s or rezoning while considering the impacts on the long-term housing market.

Zoning and Business Licencing Bylaws

Under section 3.1 of Ladysmith’s Business Licence Bylaw, any business in Ladysmith—including a Short-Term Rental—requires a valid business licence. Outside of the C-2, C-4, CD-7 and A-RR¹ zones, nightly rental is limited to bed and breakfasts, i.e. renting one or more bedrooms within the owner’s principal residence. A map of zones that allow tourist accommodation is provided in Attachment B.

Some changes were made to bed and breakfast and tourist accommodation regulations under Bylaw No. 2187 and Council adopted new business regulations for nightly rentals under Bylaw No. 2188 in September of 2024. However, a “Short-Term Rental”—i.e. renting an entire dwelling unit for nightly accommodation—has always required a business licence and has never been a permitted use outside of the C-2, C-4, CD-7 or A-RR zones.

As noted below, Ladysmith currently has approximately 50 STR’s, at least half of which are operating contrary to the Town’s bylaws.

The Short-Term Rental Accommodations Act and STR Portal

In the fall of 2023, the Province enacted the *Short-Term Rental Accommodations Act* (STRAA). The STRAA has three purposes:

1. To return STR’s to the long-term housing market;
2. To give local governments stronger tools to enforce short-term rental bylaws; and
3. To establish a new Provincial role in the regulation of STR’s.

The STRAA applies to STR’s offered to the public through online platforms such as Airbnb, VRBO, Expedia, and FlipKey. The STRAA does not apply to hotels and motels, RV Parks and campgrounds. Under section 13(a) of the STRAA, STR operators must post a valid business licence number in their listing, and platforms must share listing data with the Province each month. The Province can then share this data with local governments and does this through the Short Term Rental Data Portal (the “STR Portal”).

¹ Nightly rental is only allowed in certain areas in the A-RR zone.

Under the *STRAA*, a local government can issue “Notices of Noncompliance” and “Takedown Requests” through the STR Portal. A Notice of Noncompliance is a notification to the STR operator and platform advising them that a valid business licence number has not been posted. A “Takedown Request” requiring the listing to be removed is issued by the local government to the platform. To date, the Town has not issued a Notice of Noncompliance or Takedown Request to any STR operator.

Under section 6 of the *STRAA*, all STR’s must be registered with the Province. As of May 1, 2025, short-term rental platforms are required to verify that all STR listings have a valid registration number. Where a STR does not have a valid registration number, platforms must remove unregistered listings in two phases:

- From May 1 to 31, 2025, platforms must stop advertising any STR’s that do not have a valid registration number and prevent any new bookings.
- After June 1, 2025, platforms must also cancel any existing bookings for unregistered STR’s.

Operating without a valid registration number may also result in administrative monetary penalties for the STR operator.

By extension, these provincial requirements will effectively shut down all unauthorized STR’s in Ladysmith; a Provincial registration number requires a Town business licence, which requires compliance with all Town bylaws including zoning. This means many existing STR’s in Ladysmith will be unable to advertise on the most common advertising and booking platforms come May 1st.

STR’s in Ladysmith

The Town received access to the STR Portal on July 2, 2024 and staff shared an initial summary in the August 6, 2024 report to Council. Largely, the general makeup of the STR market in Ladysmith appears the same. However, the STR Portal has been upgraded since staff first gained access in 2024 and updated highlights are provided below:

- There are approximately 50 active listings in the STR Portal. A small number of these (likely 2) may be the same STR offered on multiple platforms. As many as 14 of these listings have a valid business licence. Of the remaining 36 listings, approximately 28 (77%) of these listings are for complete dwelling units, only two of which appear to be in zones that allow tourist accommodation.
- 18 of the 28 non-compliant listings noted above (64%) appear to be secondary suites. At least six of these suites (33%) are legal suites constructed with building permits² all within the last 10 years. The Town has approximately 195 lawfully constructed suites and another 11 under construction, which suggests

² Staff confirmed this by cross-referencing listings with utility data.

approximately 3% of the Town's secondary suites are being used for unauthorized STR's.

- There is a diversity of unit sizes and types ranging from bachelor suites to homes with five or more bedrooms. There are a number of listings for apartments or condos.
- Virtually all listings are marketing extended periods of availability and staff estimate that for approximately 11 out of the 28 of the noncompliant listings (39%) the owners do not live on the property. It appears unlikely that many listings are temporary listings where the owner rents their principal residence while they're away from home.
- The 28 noncompliant listings represented approximately 1,590 room night stays between May and December 2024. The average and median number of room night stays during the listing period were low; 59 and 60, respectively. 10 out of the 28 noncompliant listings (36%) had fewer than 10 room nights booked during the listing period, 8 of which had no bookings at all. When all active listings for complete homes are considered, the top ten STR operators accounted for 58% of all room night bookings.
- It would appear that even with low booking numbers, a STR Operator can make as much or more than a typical monthly rent in Ladysmith. According to CMHC, the median monthly rent in Ladysmith for a 2-bedroom unit dropped to \$1,221/month or \$14,652/year in 2024. The 2-bedroom units listed on online STR platforms range from \$142-\$588/Night. At those rates, booking for only 10 nights per month results in approximately \$1,420-\$5,880 in monthly revenue.
- According to the CMHC Rental Market Survey, the Town's total rental housing stock is 214 units and rental vacancy increased substantially between 2023 and 2024—from 0.7 to 3.3% (see Attachment C.). Generally, a 3% vacancy rate is considered ideal. The Rental Market Survey occurs annually each October and with a rental housing stock of only 214 units, Ladysmith's vacancy rate can be easily influenced by temporary spikes or dips in housing characteristics. For example, the addition of 10 new, vacant units during the 2024 Rental Market Survey would have increased the vacancy rate to 4.5%.

PROPOSAL:

If approved, Bylaw No. 2205 will establish TUP guidelines that will allow a limited number of noncompliant STR's to remain in operation if they apply for and receive a TUP from Council. Staff based the guidelines on the recommendations of the Workforce Housing Strategy and the guidelines are intended to strike a balance between housing needs, fostering tourism growth and accommodating the travelling workforce. Under the proposed guidelines, STR's will be limited until the Town's vacancy rate—calculated as the two-year average of the CMHC Rental Market Survey—is at or above 3% and preference will be given to accommodation options that fill a niche in the local accommodation market. The

current average of the 2023 and 2024 vacancy rates is 2%, meaning, as drafted, the guidelines would allow the issuance of up to 10 TUP's for STR's.

Exceptions to the vacancy limitations are also provided in cases where the owner can demonstrate the STR will be used for temporary worker housing, or the unit is unlikely to be affordable to low and middle-income renters under normal market conditions. For example, a TUP could be issued to an STR operator that has a contract with a company that rotates workers through Ladysmith.

TUPs can be issued for a period of up to three years with one renewal. Issuing a TUP is a discretionary decision of Council and TUP guidelines need not be strictly applied, giving Council significant flexibility when considering TUP applications. Under the Town's fees and charges bylaw, the TUP application fee is \$1,500.00 plus notification costs.

Bylaw No. 2205 will also add a policy supporting site-specific rezoning applications where an applicant can demonstrate that the benefits of their opposed STR's to the Town's tourism industry will outweigh the corresponding loss of housing stock. Bylaw No. 2205 is provided in Attachment A.

ANALYSIS:

With the forthcoming Provincial requirement for registration, staff reviewed the proposed TUP program in the context of the available alternatives. A comparative analysis is provided below:

1. Maintain the status quo. This option is likely to see 52% of STR's in Ladysmith shut down as of May 1st. Under the current bylaw framework, staff cannot issue business licences to non-compliant STR's, which in turn prevents the STR's from obtaining provincial registration numbers and advertising on online platforms. This option would deviate from the recommendations of the Workforce Housing Strategy and Council's direction under resolution CS 2024-180 and is therefore not recommended.
2. Legalize STR's through blanket zoning. Under this alternative, Council would direct staff to prepare bylaws to expand the zones where STR's are permitted. This could be some or all zones where residential uses are permitted. This approach would also not align with the recommendations of the Workforce Housing Strategy (which recommends approving STR's in a more focused way), may lead to a proliferation of STR's and corresponding reduction in rental housing stock, and may jeopardize the hotel development market in Ladysmith. These potential impacts are outlined in the August 6, 2024 report to Council. Additionally, staff note that the Town remains subject to the *Housing Supply Act* which gives the Province the power to directly intervene in the Town's bylaws and permitting processes. If housing challenges persist in Ladysmith and permissive rules on STR's are seen as a contributing factor, the Province could theoretically direct the Town to amend its zoning. Approaching STR's on a more case-by-case approach is expected to be a safer course of action in this regard.

3. Legalize STR's only through site-specific zoning. This option is supported by the Workforce Housing Strategy and remains available regardless of Council's chosen direction on the proposed TUP program. Section 460(2) of the *Local Government Act* requires Council to consider any application by an owner to rezone their property, meaning any owner can apply to rezone their property to allow an STR at any time. The key differences between site-specific zoning and a TUP program are noted below:

- a. Due to non-conforming use rights, zoning does not have an "expiry date" like a TUP does. This makes it harder to shut down STR's if they become a problem or to adjust the supply of STR's to adapt to housing or tourism market conditions.
- b. Rezoning applications are more expensive and time consuming for the applicant and the Town. Current rezoning fees are \$2,000 plus notification costs. A rezoning application also requires a public hearing, and provincial approval in most cases.

Because the site-specific rezoning option remains available by default and the proposed TUP program will add additional flexibility to the Town and STR operators, staff do not recommend relying exclusively on site-specific rezoning applications to bring unauthorized STR's into compliance.

4. TUP program (recommended): The TUP program offers a compromise between blanket zoning and maintaining the status quo, allowing Council to evaluate STR's on a case-by-case basis and in the context of current vacancy rates. This course of action aligns with Council's previous direction under CS 2024-180. A more detailed explanation of the benefits of a TUP program are outlined in the August 6, 2024 report to Council.

ALTERNATIVES:

The Committee can recommend that Council:

1. Maintain the status quo.
2. Legalize STR's through blanket zoning.
3. Consider legalizing noncompliant STR's only through site-specific zoning applications.
4. Amend Bylaw No. 2205 and consider the bylaw as amended.
5. Refer the matter back to staff for further review.
6. Defer consideration of proposed bylaw.
7. Take an alternative course of action.

FINANCIAL IMPLICATIONS:

Application fees for TUP's are expected to cover the typical costs of processing them.

LEGAL IMPLICATIONS:

N/A.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

A public hearing is required prior to adopting the proposed bylaw under section 464 of the *Local Government Act*.

INTERGOVERNMENTAL REFERRALS:

Sections 475 and 476 of the *Local Government Act* outline requirements for intergovernmental referrals for OCP amendments. Staff will provide a recommendation to Council when the bylaw is considered by Council.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

TUP applications will be circulated amongst the Fire, Engineering, Bylaw and Building departments when they are received.

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

I approve the report and recommendation(s).

Allison McCarrick , Chief Administrative Officer

ATTACHMENTS:

- A. Bylaw No. 2205/Proposed TUP Guidelines.
- B. Map of Tourist Accommodation Zones.
- C. CMHC Rental Market Survey for Ladysmith.

ATTACHMENT A
TOWN OF LADYSMITH

BYLAW NO. 2205

A Bylaw to Amend "Official Community Plan Bylaw 2022, No. 2200"

The Council of the Town of Ladysmith in open meeting assembled enacts the following to effect changes to "Official Community Plan Bylaw 2022, No. 2200":

1. Add as policy 3.14 of Part C the following:

"3.14 where Short-Term Rentals are not permitted under the zoning bylaw:
 - Council may issue Temporary Use Permits (TUP's) in accordance with the guidelines in Schedule A.2; or
 - approve rezoning applications where the applicant can demonstrate the benefits of the tourism offering provided by the Short-Term Rental outweighs the loss of housing"
2. Add Schedule A of this bylaw as Schedule A.2 to the OCP

Citation

3. This Bylaw may be cited for all purposes as "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205".

READ A FIRST TIME on the _____ day of _____, 2025

READ A SECOND TIME on the _____ day of _____, 2025

PUBLIC HEARING HELD PURSUANT TO SECTION 464(1)(a) of the Local Government Act on the _____ day of _____, 2025

READ A THIRD TIME on the _____ day of _____, 2025

ADOPTED on the _____ day of _____, 2025

Mayor ()

Corporate Officer (S. Bouma)

Schedule A

Temporary Use Permit Guidelines for Short-Term Rentals

Introduction

The purpose of these guidelines is to balance the role of Short-Term Rentals in providing tourist and travelling workforce accommodation and the need to preserve long-term housing stock. In the context of these guidelines, a “Short-Term Rental” means a dwelling unit rented for nightly accommodation in a zone where dwelling units are a permitted use, but where nightly rentals are not. The objectives of these guidelines are:

1. To limit Short-Term Rentals in Ladysmith until rental vacancy rates are consistently at or above 3%.
2. To allow Temporary Use Permits for Short-Term Rentals that provide unique, high-quality accommodations that make Ladysmith a preferred tourism destination; while preserving generic housing stock for residents.
3. To support housing for both the travelling workforce and permanent workforce.
4. To complement regional and provincial initiatives to address the impact of Short-Term Rentals on the housing market.

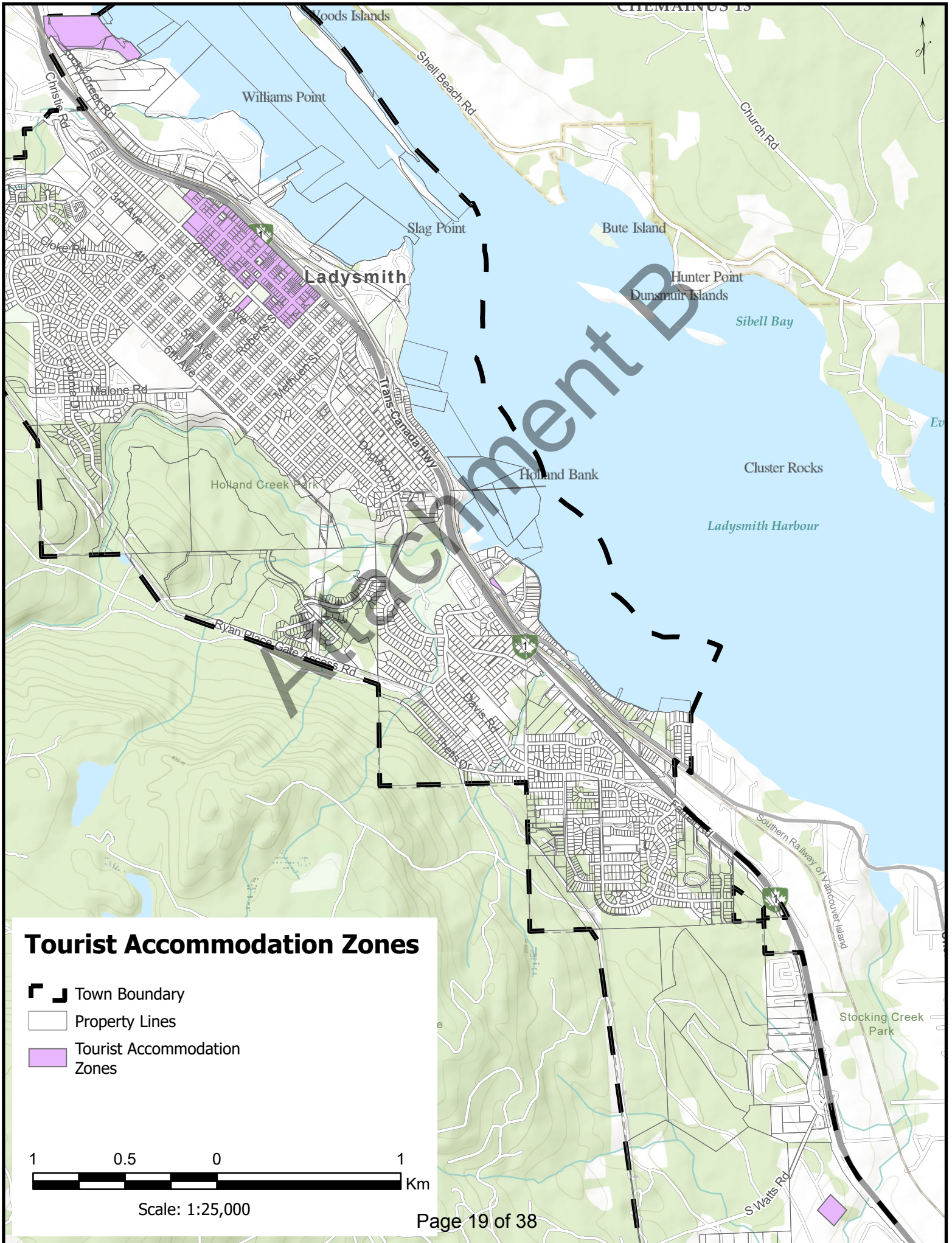
Guidelines

1. The number of TUP’s issued by Council should be based on the average of CMHC’s Rental Market Survey for Ladysmith for the preceding two calendar years, as shown in the table below:

Residential Vacancy Rate	Number of Issued TUP’s
0%	0
0-1%	5
1-2%	10
3% or higher	No Limit

2. Short-Term Rentals should not be provided in housing units that tend to be more affordable or serve populations in greater need of housing such as secondary suites, apartments, and older housing stock.
3. Notwithstanding guidelines 1 and 2, TUP’s may be issued where the applicant is able to demonstrate that:
 - a. the Short-Term Rental will be limited to rentals for workers temporarily working in Ladysmith; or
 - b. the Short-Term rental provides a unique, high-quality tourism offering within a ten-minute walk of Ladysmith’s waterfront or Downtown.
4. Short-Term Rentals should not provide redundant accommodation products that would otherwise be available in the conventional accommodation market (e.g. hotels and motels)
5. Short-term rentals should accommodate guest parking on site.

6. Short-term rentals should not generate a nuisance for neighbouring properties. The Short-Term Rental should have adequate noise mitigating features and policies that mitigate disruptions to neighbours.
7. The layout, form and function of proposed Short-Term Rentals should ensure a comfortable, memorable and convenient guest experience including:
 - a. A cohesive design theme incorporating color schemes, furniture styles, and decorative elements;
 - b. Privacy and ease of movement into and within the Short-Term Rental
 - c. A spacious and well-designed layout with adequate ceiling heights (minimum of 2.4 meters) and lighting.
 - d. On-site amenities that provide tourist appeal, such as ocean views, decks and patios, hot tubs, swimming pools, water access and outdoor cooking and dining areas.
 - e. Kitchens purposely designed and equipped to maximize functionality, convenience and comfort, including full-sized appliances arranged in a convenient “work triangle”, dishwashers, sufficient storage for housewares, small appliances and groceries and a mix of task and ambient lighting. Small kitchens and gally kitchens are generally discouraged.
 - f. Divided work and living areas to support the use by the travelling workforce.
8. Short-Term rental units must be compliant with the BC Building Code and the Town’s Building Bylaw. Units constructed without permits must be brought into compliance with the BC Building Code and other safety regulations prior to the issuance of a business license.
9. Temporary Use Permits may include conditions to mitigate the loss of housing stock caused by converting the residential unit to a Short-Term Rental, such as contributions to the Town’s affordable housing reserve.
10. Short-Term Rentals should be booked for a minimum of 60 days per year under normal market conditions. Temporary Use Permits may include conditions requiring a minimum number of bookings per year.
11. Short -Term Rentals should be available year-round and secure bookings year-round. However, proposals where the Short-Term Rental operates in peak travel season and the dwelling unit is used for rental housing in the off-season may be considered. Temporary Use Permits may contain conditions regulating the use of the Short-Term Rental during certain times of the year.





Number of Private Apartment Units

	Oct-23	Oct-24		
Bachelor	11	11		
1 Bedroom	106	105		
2 Bedroom	96	97		
3 Bedroom +	1	1		
Total	214	214		

Private Apartment Vacancy Rates (%)

	Oct-23	Oct-24		
Bachelor	**	**		
1 Bedroom	**	**		
2 Bedroom	1.5 d	6.3 b		
3 Bedroom +	**	**		
Total	0.7 b	3.3 c		

Private Apartment Average Rents (\$)

	Oct-23	Oct-24		
Bachelor	**	**		
1 Bedroom	781 c	859 c		
2 Bedroom	1,353 a	1,484 a		
3 Bedroom +	**	**		
Total	1,056 c	1,191 a		

Private Apartment Availability Rates (%)

	Oct-23	Oct-24		
Bachelor	**	**		
1 Bedroom	**	**		
2 Bedroom	**	**		
3 Bedroom +	**	**		
Total	**	**		

Private Apartment Estimate of Percentage Change (%) of Average Rent

	Oct-23	Oct-24		
Bachelor	**	**		
1 Bedroom	**	**		
2 Bedroom	**	**		
3 Bedroom +	**	**		
Total	**	**		

Source: CMHC Rental Market Survey

Notes:

The following letter codes are used to indicate the reliability of the estimates:

a — Excellent, b — Very good, c — Good, d — Poor (Use with Caution)

** — Data suppressed to protect confidentiality or data not statistically reliable.

++ — Change in rent is not statistically significant. This means that the change in rent is not statistically different than zero (0). (Applies only to % Change of Average Rent Tables).

The Percentage Change of Average Rent is a measure of the market movement, and is based on those structures that were common to the survey sample for both years.

The information contained in this document is a printable version of information originally contained on CMHC website application <https://www03.cmhc-schl.gc.ca/hmiportal>. CMHC makes considerable effort to ensure that the information and analysis on this application is reliable, but cannot guarantee that it is accurate or complete. The content of the application is general in nature and is not intended as a substitute for professional advice when making significant financial decisions. You understand and agree that by using this document and the information it contains, you will be bound by the terms of use of the CMHC website (http://cmhc.ca/en/imno/imno_003.cfm), and in particular, you agree that you may not hold CMHC liable for any consequences that arise if you choose to rely on this information and analysis to make a financial decision.

STAFF REPORT TO COMMITTEE OF THE WHOLE

Report Prepared By: Chris Geiger, Manager of Protective Services
Reviewed By: Allison McCarrick, CAO
Meeting Date: March 11, 2025
File No: 3900-20
Re: Amendment to “Dog Licencing, Control & Pound Bylaw 1996, No. 1155”

RECOMMENDATION:

That the Committee recommend that Council direct staff to prepare a bylaw to amend “Dog Licencing, Control and Pound Bylaw 1996, No. 1155”, to ensure its compliance with the “*British Columbia Guide Dog and Service Dog Act*” [SBC 2015].

EXECUTIVE SUMMARY:

This report proposes an amendment to “Dog Licencing, Control and Pound Bylaw 1996, No. 1155”, replacing Section 14 in its entirety and adding exemptions for service dogs that comply with the “*British Columbia Guide Dog and Service Dog Act*” [SBC 2015].

PREVIOUS COUNCIL DIRECTION:

N/A

INTRODUCTION/BACKGROUND:

Following an occurrence during a Special Event on 1st Avenue where an individual was asked to remove their dog as per Bylaw No. 1155, staff determined that section 14 of the bylaw is outdated and in need of revision. In this case, the exemption to the relevant portion of the bylaw is only applicable to “a blind person accompanied by a service dog.” Service dogs assist with a multitude of conditions, not just blindness. The proposed amendment will bring this section of the existing bylaw into compliance with provincial legislation while a comprehensive review of Bylaw No. 1155 is conducted.

ALTERNATIVES:

The Committee can recommend that Council:

1. Request that staff make additional amendments, as provided by Council.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

The existing version of “Dog Licencing, Control and Pound Bylaw 1996, No. 1155” could be considered discriminatory as it does not appear to consider all of the relevant provincial legislation of the “*British Columbia Guide Dog and Service Dog Act*” [SBC 2015].

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Ladysmith is home to residents and host to visitors that rely on their service dogs to assist them in living healthy lives.

Questions regarding enforcement of Section 14 of Bylaw No. 1155 have been raised by Ladysmith service clubs and associations in recent months. The proposed amendment allows the Town to enact an immediate solution, while still taking the necessary time to review the entire bylaw and determine the best path moving forward.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

I approve the report and recommendation.

Allison McCarrick, Chief Administrative Officer

ATTACHMENT:

- A. Dog Licensing, Control & Pound Bylaw 1996, No. 1155
- B. Section 14 Amendment

TOWN OF LADYSMITH



“Dog Licencing, Control & Pound Bylaw 1996, NO. 1155”

Consolidated Version as on December 1, 2021

(This consolidation is authorized by “Bylaw Revision Bylaw 2022, No. 2090”)

Consolidated for Convenience Only

This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws of this subject

July 15, 1996

Includes Amendment Bylaw Nos.:1262, 1554, 1772, 1842, 1852, 1883, 2095

TOWN OF LADYSMITH

BY-LAW NO. 1155

A bylaw to provide for the animal licencing, control and impounding of dogs within the Town of Ladysmith.

WHEREAS pursuant to Section 524 of the Municipal Act, the Council may by bylaw fix, impose and provide for the collection of licence fees and issuance of licences to a person who owns, possesses or harbours a dog, and the bylaw may require a separate dog licence for each dog, and may vary the amount of the fee according to the sex, age, size or breed of the dog;

AND WHEREAS pursuant to Section 933(1) of the Municipal Act the Council may by bylaw applicable throughout the municipality or in any defined area of it, regulate or prohibit, and the regulations may be different for different areas, the keeping of dogs and define areas in which they may be kept or may not be kept;

AND WHEREAS pursuant to Section 933(2) of the Municipal Act the Council may by bylaw provide for the seizure, impounding and detention of unlicensed dogs unlawfully at large; regulate and fix the fines and fees, including damages for trespassing on private property, to be levied and collected by Animal Control Officers; and provide for the sale or destruction of dogs impounded where prescribed fines, fees and other charges are not paid within a reasonable time;

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

1. In this Bylaw, unless the context otherwise requires, the following expressions where used shall have the respective meanings hereby assigned to them:

BL 1554 **"Animal Licencing, Control and Pound Bylaw"** shall mean Bylaw 1155, as amended and any succeeding legislation.

BL 1554 **"Animal Control Officer"** shall mean those individuals appointed from time to time to enforce the provisions of the Animal Licencing, Control and Pound Bylaw.

"At Large" shall mean, for the purposes of this Bylaw, as being elsewhere than on the premises of the owner of such dog and not restrained by a competent person by means of an adequate leash attached to the dog.

"Council" means the Municipal Council of the Town of Ladysmith.

BL 1554 **"Director of Financial Services"** shall mean the Director of Financial Services of the Town of Ladysmith, or any other person duly appointed by the Municipal Council of the said town to collect dog licence fees.

BL 1554

“Dangerous Dog” means any dog over the age of four (4) months, including a restricted dog:

- i. With a known propensity, tendency or disposition to attack without provocation other domestic animals or humans; or
- ii. Which has bitten another domestic animal or human without provocation; or
- iii. Which an Animal Control Officer has reasonable grounds to believe is likely to attack without provocation, animal or human.

“Dog” shall mean any dog apparently over the age of six (6) months, and shall include bitch.

“Effective Control” shall refer to any dog restrained by any device or enclosure that prevents it from being at-large. It shall also mean any dog under direct verbal control in an off leash area. A dog not responding quickly to a verbal command will be deemed to be “not under effective control”.

“Habitually Noisy Dog” means any dog which barks continually for longer than 15 minutes.

“Municipality” shall mean and include the area within the boundaries of the Town of Ladysmith.

“Owner” means any person who owns or who is in possession of or who has the care, custody, or control of a dog, or any person who harbours or allows a dog to remain about his house, land or premises, and “own” includes possessed or harboured.

“Pound” shall mean a pound established in accordance with the provisions of the Bylaw, and shall also include any motor vehicles used by the Animal Control Officer or any buildings, enclosure of lands established as a pound pursuant to this Bylaw.

BL 1554

“Restricted Dog” shall include Pit Bull Terrier, American Pit Bull Terrier, American Staffordshire Terrier, English Bull Terrier, Staffordshire Terrier; and any dog of mixed breeding, over the age of four (4) months which includes the aforementioned breeds.

BL 1772

A dog is not a “Restricted Dog” if the dog and dog owner have successfully completed the tests required to qualify for the Canine Good Neighbour (CGN) or Canine Good Citizen (CGC) Certification.

2. The Council may from time to time enter into an agreement with a person or persons for the establishment, maintenance and operation, within or without the municipality, of facilities for the impounding of dogs at such place or places and upon such premises as the Council may from time to time determine.
3. The Council is hereby empowered to appoint from time to time, by resolution, an

Animal Control Officer to maintain and operate a pound or pounds established pursuant to the provisions of this Bylaw.

4. Every dog kept within the municipality shall at all times be licenced pursuant to the provisions of this Bylaw, and the owner of every such dog shall apply to the Town for, and take out an annual licence in respect of such dog, and at all times hold a valid licence in respect to such dog while the dog is kept within the municipality, and shall pay for such licence the annual licence fee as hereinafter set out:

- (a) For every dog over the age of six (6) months, whether male or female:

BL 2094 -from January 01 – January 31st \$49.00
 -from February 01 – December 31st \$59.00

- (b) Notwithstanding section 4(a) spayed or neutered dogs shall receive an eighteen dollar (\$18.00) licence fee reduction.

- (c) For an assistance dog a licence is required and shall be issued free of charge.

- (d) No owner or household may possess or harbour more than three (3) dogs over the age of four (4) months.

5. Every licence issued under this Bylaw shall expire on the 31st day of December following the date in which the said licence takes effect and shall be accompanied by a brass tag displaying the permanent licence number assigned to the dog. All offences and impoundments shall be recorded using the permanent licence number. The required application and licence shall be in such form or forms as the Director of Financial Services may prescribe.

6. The owner of every dog shall make application for a licence therefore and shall pay the required fee for the said licence as prescribed by this Bylaw to the Director of Financial Services on or before the 1st day of February in each year.

If any person becomes the owner of a dog after the 1st day of February in any year, such person shall make application for a licence and pay the licence fee therefore as required by this Bylaw forthwith after the acquisition of such dog.

7. No person shall keep, harbour or have in his possession any dog within the municipality unless a licence therefore, as required by the provisions of this Bylaw, has been first obtained.
8. The owner of any dog which has lost its brass tag may, upon producing the original receipt issued with the tag, obtain another from the Director of Financial Services by paying a fee of Five dollars (\$5.00).
9. The owner of every dog shall keep on such dog a collar to which shall be attached

the tag accompanying the current licence therefore.

10. No person other than the owner shall remove any collar or tag from any licenced dog.
11. Every person who is the owner of a female dog in heat shall keep such dog effectively within a closed building, and shall not suffer or permit such female dog to run or be at large while in heat.
12.
 - (a) No person shall keep, harbour or have in his possession any dog that, by making frequent or loud noise continuously for fifteen (15) minutes or more, disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public.
 - (b) No person shall cause, suffer or permit any dangerous dog owned or harboured by him to be on a highway or in any public place, or to be on any private lands and premises without the consent of the occupier of such lands and premises.
 - (c) Section 12(b) does not apply to any dangerous dog which is firmly held on a leash by a person competent to restrain the dog and which is muzzled by a properly fitted device, which must allow the animal to drink.
 - (d) Every owner, possessor or harbourer of a dangerous dog shall, at all times, while the dog is on the premises owned or controlled by such person, keep the dog securely confined, either indoors or in an enclosed pen or other structure capable of preventing the entry of young children and adequately constructed to prevent the dog escaping.

BL 1554

- (e) Restricted Dogs
 - (i) The owner of a restricted or dangerous dog must satisfy the Animal Control Officer that a suitable containment area exists for the dog. This pen or structure, excluding the owner's dwelling, must be on the owner's property. If the owner of a restricted dog does not comply with this requirement within fourteen (14) days, the dog will be impounded until such time that the owner provides a suitable containment area. The owner will be responsible for daily maintenance fees during impoundment. If suitable containment area does not exist after fourteen (14) days of notification of impoundment, the dog will be destroyed.
 - (ii) When not contained on its owner's property, any restricted dog must be muzzled and on a maximum six (6) foot leash.
 - (iii) All restricted dogs over the age of six (6) months must be spayed or neutered. Dogs registered with a recognized registry, such as the

Canadian, American or British Kennel Club, are exempt.

- (iv) The Animal Control Officer may impound any restricted dog not complying with the containment, muzzle or leash requirements.

BL 1852 13. ~~No owner of any dog kept within the municipality shall permit or suffer such dog to trespass on private property within the municipality.~~

BL 1554

BL 1852
underlined
text

- 14. (a) No owner of any dog shall permit or allow such dog to be at large on any private property (other than that of the dog owner), public highway, street, lane, park or any other public place, unless it is accompanied by a competent person and is restrained by that person by means of an adequate leash attached to the dog. Dogs on-leash or off-leash are not permitted on sports fields, playground areas of parks or park areas marked as "No Dogs Allowed" or on First Avenue during street closures for the special events. If instructed by the Animal Control Officer, any dog owner shall be required to construct, within a reasonable timeframe, an adequate enclosure to prevent their dog from roaming at-large. Any dog found by the Animal Control Officer to be at-large, or otherwise in violation of this Bylaw, may be apprehended and/or impounded, and upon such apprehension and/or impoundment the Animal Control Officer shall forthwith inform the owner of such dog that he has done so. If the owner of such dog cannot reasonably be determined, the Animal Control Officer shall cause a notice of such apprehension and impoundment to be made in writing and affixed in a prominent place upon the Notice Board at the main entrance to City Hall, and the posting of such notice as aforesaid shall be deemed for all purposes to be sufficient notice to the owner of such dog.
- (b) Section 14(a) authorizes officers, employees and agents of the municipality to enter at reasonable times on any property that is in violation of this Bylaw to carry out and enforce the provisions of this Bylaw.
- (c) If a dog defecates in or upon a street, public beach, park, public school ground or any other public place or private property other than property owned or occupied by the dog owner or the person having charge of the dog, the dog owner or person having charge of the dog shall cause the excrement to be removed immediately upon its deposit.
- (d) Section 14(a) does not apply to a blind person accompanied by a service dog.
- (e) Excrement removed pursuant to Section 14(c) shall not be deposited on any private property other than that owned or occupied by him, or in any public place except, where the excrement is securely contained in an impermeable bag or other impermeable container so as not to ooze, leak or fall out, into a municipal litter receptacle.

15. (a) Notwithstanding the provisions of Section 14 of this Bylaw, the Animal Control Officer may issue to the owner of a dog a Violation Notice, in the form set forth in Schedule "A" hereto and made part of this Bylaw, that their dog has violated the provisions of this Bylaw. The notice shall indicate the offence committed and will impose upon the owner of the dog a penalty of One Hundred Dollars (\$100.00) for the first offence and Two Hundred Dollars (\$200.00) for the second offence for the second violation.
- (b) The notice may be delivered to the owner of the dog by the Animal Control Officer or other person authorized by the Council to do so, or be left by such Animal Control Officer or authorized person at the residence of the owner of the dog or be forwarded by mail to the last known address of the owner of the dog.
- (c) The owner to whom a Violation Notice has been issued and delivered in the manner aforesaid shall be at liberty to pay or cause to be paid in person or delivered by mail in accordance with the notice in that regard appearing on the Violation Notice, the penalty specified therein, whereupon the owner so charged will be deemed to have pleaded guilty to the offence with which he is charged in the Violation Notice and to have paid the penalty imposed therefore.
- (d) Failure to make such payment on or before the date stated in the Violation Notice shall render the owner of the dog subject to the penalties provided for a breach of the provisions of this Bylaw.
16. The Animal Control Officer shall keep a record in respect to each dog impounded showing the date and hour of the impoundment, a brief description of the dog, and the manner in which such dog has been disposed of, and of all monies received and dispersed by him in respect of the operation of the pound.
17. There shall be levied and collected by the Animal Control Officer, for and in respect of each dog impounded as poundage charges, the following fees:

Licensed Dogs

- First offence	\$50
- Second offence	\$100
- Third and subsequent offences	\$200
- Dangerous or restricted dogs	\$300

Unlicensed Dogs

- First offence	\$100
- Second offence	\$150
- Third and subsequent offences	\$300
- Dangerous or restricted dogs	\$400

18. Any dog impounded shall be furnished with food and sufficient food, water, shelter and attendance by the Animal Control Officer, for which the owner of the dog shall pay, in addition to the poundage charges, to the Animal Control Officer for every day or part of a day, the sum of Ten Dollars (\$10.00) for the time such dog is impounded.
19. If the owner or other person entitled to the possession of any dog impounded shall appear at the pound and claim such dog at any time before the sale or disposal thereof, it shall be the duty of the Animal Control Officer to deliver up the same to such owner or other person, upon receiving the amount in full of the poundage charges and the expenses charged pursuant to this Bylaw in respect of such dog.
20. If no person entitled to claim possession of any dog impounded shall appear at the pound and claim such animal within four (4) days after the same shall have been impounded, or if the owner or other person entitled to the possession of any dog impounded shall refuse or neglect to pay poundage charges and other charges payable pursuant to this Bylaw in respect of such dog, the Animal Control Officer may sell, dispose of, or destroy the dog forthwith.
21. No person shall hinder, delay or obstruct the Animal Control Officer or any person or person lawfully engaged in attempting to catch, catching or transporting any dog to the pound.
22. No person shall break open the pound or in any manner, either directly or indirectly, aid or assist in breaking open the pound, or shall take or let any dog out of the pound, without the consent of the Animal Control Officer.
23. Notwithstanding the foregoing, every person who commits a breach of the provisions of this Bylaw shall, on summary conviction, be liable to a fine or penalty not exceeding One Hundred Dollars (\$100.00) and costs, recoverable and enforceable in the manner provided by the Offence Act.

REPEAL OF PREVIOUS BYLAWS

24. "Dog Licencing, Control and Pound Bylaw 1974, No. 599" and all amendments thereto are hereby repealed.

CITATION

25. This Bylaw may be cited for all purposes as “Dog Licencing, Control and Pound Bylaw 1995, No. 1155”.

READ A FIRST TIME on the 1st day of MAY, 1995.

READ A SECOND TIME on the 1st day of MAY, 1995.

READ A THIRD TIME on the 8th day of JULY, 1996.

ADOPTED on the 15th day of JULY, 1996.

Original signed by Mayor Rob Hutchins

Mayor

Original signed by Pat Durban

Clerk

Dog Licencing, Control & Pound Bylaw 1155 (update)

14.

- a) The Owner of a Dog must not allow a Dog to be "At Large".
- b) The Owner of a Dog must ensure that when the Dog is elsewhere than on the premises of The Owner the Dog must be under "Effective Control".
- c) If a Dog defecates on property other than property owned or occupied by the Owner of the Dog, the Dog Owner shall cause the excrement to be removed immediately upon its deposit.
 - i. No person who has removed Dog excrement may deposit it into a public litter receptacle except where the excrement is securely contained in an impermeable bag or other impermeable container so as not to ooze, leak or fall out in the public litter receptacles.
- d) No Dog is permitted on sports fields, playground areas of parks or park areas marked as "No Dogs Allowed".
- e) No Dog is permitted on 1st Avenue during street closures for special events.
- f) Any Dog found to be in violation of this Bylaw may be apprehended and/or impounded.
 - i. Upon such apprehension and/or impoundment the Animal Control Officer shall forthwith inform the Owner of the Dog. If the Owner of such Dog cannot be reasonably determined, the Animal Control Officer shall cause notice of such apprehension and impoundment to be made in writing and affixed in a prominent place upon the Notice Board at the main entrance to City Hall, and the posting of such notice as aforesaid shall be deemed for all purposes to be sufficient notice to the Owner of such Dog.
- g) Section 14 authorizes officers, employees and agents of the municipality to enter at reasonable times on any property that is in violation of this Bylaw to carry out and enforce the provisions of this Bylaw.
- h) Sections 14(c), 14(d) and 14(e) do not apply to the Owner of a Dog that is Certified as defined in the *"British Columbia Guide Dog and Service Dog Act [SBC 2015] CHAPTER 17"*

INFORMATION REPORT TO COMMITTEE OF THE WHOLE

Report Prepared By: Chris Geiger, Manager of Protective Services
Reviewed By: Allison McCarrick, CAO
Meeting Date: March 11, 2025
File No: 0640-20
Re: Protective Services Annual Report, 2024

RECOMMENDATION:

That the Committee receive the report dated March 11, 2025 from the Manager of Protective Services regarding the 2024 activities of the Protective Services Department.

EXECUTIVE SUMMARY:

The Protective Services Department has compiled a report capturing the activities of the Department and member groups of the Protective Services Committee for 2024.

PREVIOUS COUNCIL DIRECTION:

N/A

PROTECTIVE SERVICES DEPARTMENT**Bylaw Compliance:**

For most of 2024, Bylaw Compliance operated shorthanded. The Bylaw Compliance Officer, who had taken a leave of absence at the end of 2023, resigned in July of 2024. Staff from Building Inspection and Ladysmith Fire/Rescue stepped in to help cover the position. In July of 2024, Council directed staff to increase the hours of the future Bylaw Compliance Officer position from part-time to full-time, and in October the position was filled.

Bylaw Compliance investigated 228 complaints in 2024, closing 213. Files are closed by achieving one of the following criteria:

- Compliance
- Referral
- No Further Action Required
- Unfounded

Bylaw Compliance Complaints 2024	
Dog Licensing	2
Fire Prevention	3
Fireworks	2

Noise Suppression	12
Nuisance Abatement	14
Other (Neighbour Issue etc.)	5
Parks Usage	5
Property Maintenance	41
Sign and Canopy	2
Streets and Traffic	126
Waterworks Rates and Regulations	2
Zoning	14
Total	228

Fire/Rescue:

Ladysmith Fire Rescue's overall call volume continued with a slight downward trend, finishing at 292 calls for the year. Most of the difference was seen in First Responder and Mutual Aid Provided calls. Fire Related calls were relatively consistent, while Motor Vehicle Incidents were slightly higher. In all, LFR officers investigated 21 OFC (Office of the Fire Commissioner) reportable fires totaling \$1.1M in fire loss, 3 fire-related injuries and regrettably 1 fire-related fatality.

In addition to fire suppression and emergency response, Ladysmith Fire/Rescue (LFR) is also involved with community planning and design, and fire prevention (public education, fire safety inspection, code enforcement, plan checking, and fire investigation). In 2024 Protective Services assisted Development Services and Engineering with 17 referrals regarding subdivision design, development permits and variance permits, small-scale, multi-unit housing, and building permits.

Protective Services assisted Parks, Recreation & Culture with 47 Special Event Permit reviews, mainly reviewing traffic control plans for events that occupy town streets but also weighing in on emergency management and response for major planned events.

Some other 2024 highlights:

- 28 Paid-on-Call members
- 3278 staff hours of training
- New process for Fire Officer promotion in conjunction with Human Resources
- Apparatus bay floors refinished
- Significant progress on Roberts St/TCH intersection signal lights (project completed in February 2025)
- Began Fire Department Strategic Work Plan with Tim Pley & Associates
- Partnered with Emergency Management Cowichan on FireSmart and Evacuation Planning

PROTECTIVE SERVICES COMMITTEE

Royal Canadian Marine Search and Rescue (RCMSAR):

Please see Attachment 'A'. Some 2024 highlights include:

- 31 Active Members

- Environmental Response Pilot Project with CCG/ROC generated 12 calls
- Over 700 training hours
- 13 Community Events (Boating Safety)
- Station 29 Ladysmith selected as a recipient of the Emergency Management Exemplary Service Award (Search & Rescue Volunteers) for 2024

Ladysmith (Ground) Search and Rescue:

No report received.

Citizens on Patrol:

The Citizens on Patrol group has discontinued their operations in Ladysmith. They are in the process of returning equipment to the respective owners, such as Town of Ladysmith, ICBC, and RCMP. Thank you to Jim Hall for his many years of effort and leadership with the Ladysmith Citizens on Patrol.

I approve the report and recommendation.

Allison McCarrick, Chief Administrative Officer

ATTACHMENT:

A. RCMSAR Stn 29 Statistical Report

ATTACHMENT A
RCMSAR Station 29 - Ladysmith
Reported by Sue Wisely, Station Leader

Statistics for 2024 year end and
Statistics YTD for Jan 1 – Feb 26th:

Missions:

2024 total - 42 missions (83.95 total hours, approx. 338 total personal member hours).
2024 total - 9 stand downs, crew muster to station, situation resolved prior to the vessel departure.
YTD 2025 - 9 missions, 2 stand downs,.

Missions/taskings are initiated from both JRCC & EMCR.

There is an expectation of call increase during the spring - fall boating season.

Since Oct 2023, Station 29 is part of an **Environmental Response pilot project partnered with CCG/ROC** to be tasked to observe, assess, record & report possible oil/fuel spills within our response area. Crew has had special training to relay on scene details to ER teams so that the correct assets are deployed sooner for damage control and clean-up. We expect to see more of these types of calls, there have been 19 environmental response calls since Oct 2023 (7 in 2023, 12 in 2024) when the pilot project began.

Some missions/taskings of note in 2024:

Feb 1st – EMCR person in water search, Nanaimo Harbour.

March 13th & 18th – EMCR, search/possible recovery of missing boater in Ladysmith Harbour .

April 4th – Pan-Pan became May Day, Disabled S/V, towing a smaller S/V @ Pilkey PT adverse weather conditions.

June 30th – Vessel aground on Ragged Ilts, crash due to carbonmonoxide poisoning, rendezvous with CCG for patient transfer and towed vessel to Ladysmith dewatering on route.

July 24th – S/V aground in North Cove adverse weather conditions.

Aug 27th – Medavac deep sea freighter captain assisting CCG for patient transfer.

Nov 9th – Vessel sinking in Dog-patch with resident aboard.

On the Water Training:

2024 total – 236 hours, divided over 94 sessions, each involving 3-5 crew members at a time.

2025 YTD – 28.5 hours, divided over 13 sessions, each involving 3-5 crew members at a time.

Class Instruction (for new crew, advanced crew, and coxswain training):

2024 total – 76 classroom sessions, involving 288 hours (involving 3-12 members each session)

2025 YTD - 12 classroom sessions, involving total 27 hours.

Outside course attendance:

Coxswain leadership – one member attended 7 day course, 56 hours total (online & in person)

RHIOT Course - one member attended 7 day course, 8 hours each day (in person)

First Aid Recertification – four members attended 2 days, 8 hours each day

Courses are planned for member in recertification cycles.

SAREX or joint training events:

2-4 events planned each year, involves other RCMSAR stations and sometimes other protective service agencies.

The most recent was a regional Mid-Island SAREX on February 22, 2025 in Nanaimo, involving stations from Nanaimo, Ladysmith, Comox, Deep Bay, Ucluelet, and Port Alberni.

ATTACHMENT A

The SAREX involves on the water crew exercises attending to live acting patients and vessel emergencies, also including classroom presentations from Nanaimo RCMP and JRCC.

Monthly Station Meetings:

2024 total – 12 held, involving approx. 24 hours (10-20 members in attendance)

2025 YTD – 2 held, involving approx. 4 hours

Vessel & Station Maintenance:

2024 total – 67 sessions, involving approx. 1-2 hours each (3-5 members in attendance)

2025 YTD – 10 sessions, involving approx. 1-2 hours each

Community Events, Boating Safety Outreach:

2024 total – 13 held, involving approx. 130.5 hours (2-12 station members in attendance)

2025 Planning spring/summer Public Education & Community Events:

*various volunteer hours for organization & attendance in public events.

EMC - Emergency Preparedness Expo @ Transfer Beach – May 2025

Pleasure Craft Safety Check service (9 newly trained PCSC members)

Ladysmith Secondary year-end kayak trip escort

LYC Sail Past

Christmas Lights Sail Past

Boating Safety Info Day @ Ladysmith Marina

July 1st fireworks display supervision

Canada Day & BC Day celebrations

Community Marine Festivals

Parks & Recreation Kid's Camp Demonstrations

Summer Info, & Demonstration @ Transfer Beach

On-going recruitment program

"Kids Don't Float" program (children's loaner PFDs) Kiosks:

- Ladysmith Marina
- Ladysmith's Fisherman's Wharf & Public Boat Ramp
- Oyster Bay Marina (formally LMS)
- Raven Point Marina
- Telegraph Harbour Marina, Thetis Island
- Preedy Harbour Community Dock, Thetis Island

All locations to be restocked this spring at the beginning of boating season and monitored throughout 2025.

Member Roster – currently 31 active members, ongoing recruitment.

4 Coxswains

3 advanced crew members (one advanced crew member pursuing coxswain training)

6 full crew members

9 new crew actively working on their crew sign-offs

3 new members

6 supporting members

ATTACHMENT A

Official press released on Feb 26th, 2025:

Station 29 Ladysmith was selected as a recipient of the Federal/Provincial/Territorial Emergency Management Exemplary Service Award 2024-2025 (in the category of Search & Rescue Volunteers). RCMSAR Station 29's Deputy Station Leader, Ross Davis, accepted the award on behalf of the Station at the ceremony in Ottawa on Feb 26th, 2025.

Sue Wisely

Station Leader

RCMSAR 29 – Ladysmith

Cell # 604-375-0892

suewisely@shaw.ca

