

**A REGULAR MEETING  
OF THE TOWN OF LADYSMITH  
COUNCIL AGENDA  
5:30 P.M.**

**Tuesday, April 1, 2025  
Ladysmith Seniors Centre  
630 2nd Avenue**

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**Pages**

**1. CALL TO ORDER**

Call to Order 5:30 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 of the *Community Charter*, Council retire into closed session in order to consider items related to the following:

- (1)(c) Labour/employee relations;
- (1)(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;
- (1)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- (1)(g) litigation or potential litigation affecting the municipality;
- (1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (1)(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*;
- (1)(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; and

- (2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

### **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 April 1, 2025.

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

### **6. MINUTES**

#### **6.1 Minutes of the Inaugural Meeting of Council held March 18, 2025**

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#### Recommendation

That Council approve the minutes of the Inaugural Meeting of Council held March 18, 2025.

### **7. REPORTS**

#### **7.1 Agenda Preparation**

13

#### Recommendation

That Council consider adding a standing update to the weekly internal communications memo provided by staff to Council when items are removed, deferred or amended from a draft Council agenda.

## 8. DEVELOPMENT APPLICATIONS

### 8.1 Development Permit 3060-24-25 – 303 Chemainus Road 15

#### Recommendation

That Council issue Development Permit 3060-24-25 to allow the construction of a greenhouse at 303 Chemainus Road (Lot A, District Lot 43, Oyster District, and District Lot 2122, Cowichan District, Plan EPP127840, PID: 032-313-535).

### 8.2 Development Variance Permit 3090-25-02 – 130 1st Avenue 29

#### Recommendation

That Council issue Development Variance Permit 3090-25-02 to vary section 10.4.5 (b) of “Town of Ladysmith Zoning Bylaw 2014, No. 1860” to increase the maximum height of the proposed accessory building from 3.5 metres to 4.1 metres for the construction of a garage at 130 1<sup>st</sup> Avenue (Lot 3, Block 24, District Lot 56, Oyster District, Plan 703, PID: 008-549-907).

## 9. BYLAWS

### 9.1 Bylaws for Introduction

#### 9.1.1 “Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205” 41

Short-term Rental Regulation.

#### Recommendation

That Council:

1. Having considered section 475 of the *Local Government Act*, and in particular the matters set out in subsections (2)(a) and (b), resolve that:
  - a. the Stz’uminus First Nation, Agricultural Land Commission and School District 68 are the only entities that are appropriate to consult in connection with “Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205”;
  - b. consultation should be early but need not be ongoing;
  - c. the consultation process described in the staff report to Council dated April 1, 2025 is sufficient in respect to the proposed Official Community Plan

amendment; and

- d. staff be directed to refer “Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205” to the Stz’uminus First Nation, Agricultural Land Commission and School District 68 as set out in the April 1, 2025 staff report to Council;
2. Give first and second readings to “Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205”;
3. Consider “Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205” in conjunction with the Town’s Financial Plan, the Town’s Liquid Waste Management Plan, and the Cowichan Valley Regional District Solid Waste Management Plan, pursuant to section 477(3) of the *Local Government Act*;
4. Consider “Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205” in conjunction with the Town’s Housing Needs Report and the housing information on which the report is based, pursuant to section 473(2.1) of the *Local Government Act*;
5. Direct staff to schedule a public hearing and notice of the hearing for “Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205”; and
6. Authorize staff to accept and process Temporary Use Permits for Short-Term Rentals prior to adoption of Bylaw 2025.

**9.1.2 “Dog Licencing, Control and Pound Bylaw 1995, No. 1155, Amendment Bylaw 2025, No. 2207”**

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Recommendation

That Council give first, second and third readings to “Dog Licencing, Control and Pound Bylaw 1995, No. 1155, Amendment Bylaw 2025, No. 2207”.

**9.2 Bylaw Status Sheet**

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## 10. CORRESPONDENCE

- 10.1 Association of Vancouver Island and Coastal Communities' Request for Participation in the Local Government Act Reform Survey 59

### Recommendation

That Council receive the correspondence dated March 20, 2025 from the Association of Vancouver Island and Coastal Communities requesting participation in the *Local Government Act* Reform survey.

- 10.2 Take a Hike Foundation Acknowledgement Letter 61

### Recommendation

That Council receive the March 26, 2025 letter from Take a Hike Foundation thanking them for their support of vulnerable youth through the Town's Grant in Aid program.

## 11. COUNCIL SUBMISSIONS

- 11.1 Community Partners

Councillor Virtanen has requested that Council discuss the Town's relationship with Community Partners.

## 12. NEW BUSINESS

- 12.1 Cowichan Emergency Management Local Authority Agreement 62

### Recommendation

That Council:

1. Approve the 2025 Cowichan Emergency Management Local Authority Agreement between the Cowichan Valley Regional District (CVRD); Corporation of the District of North Cowichan; City of Duncan; Town of Ladysmith; and Town of Lake Cowichan; and
2. Authorize the Mayor and Corporate Officer to sign the 2025 Cowichan Emergency Management Local Authority Agreement.

- 12.2 Emergency and Disaster Management Act (EDMA) Implementation - Indigenous Engagement Funding Program Modification Agreement 2 78

In February 2025, Council authorized staff to indicate the Town's intent, as part of the Cowichan Regional Emergency Management Program, to secure EDMA Indigenous Engagement Year 2 funding by signing Modification Agreement No. 1. Since then, a second Modification

Agreement has been issued that provides the specific timeline for receiving Year 2 funding and the possibility for an extension of the termination date.

Recommendation

That Council authorize staff to sign Modification Agreement No. 2 of the Emergency and Disaster Management ACT (EDMA) Year 2 Indigenous Engagement Funding.

**12.3 16th Annual Chamber of Commerce Charity Golf Tournament**

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Recommendation

That Council allocate \$250.00 to sponsor a hole at the 16th Annual Chamber of Commerce Charity Golf Tournament on June 13, 2025 as requested in the correspondence received March 13, 2025.

**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 THE INAUGURAL MEETING OF COUNCIL

Tuesday, March 18, 2025

7:00 P.M.

Ladysmith Seniors Centre  
630 2nd Avenue

### Council Members Present:

Mayor Deena Beeston  
Councillor Ray Gourlay  
Councillor Amanda Jacobson  
Councillor Tricia McKay

Councillor Duck Paterson (via Zoom)  
Councillor Marsh Stevens  
Councillor Jeff Virtanen

### Staff Present:

Allison McCarrick  
Erin Anderson  
Jake Belobaba  
Sue Bouma

Nick Pescod  
Julie Tierney  
Hayley Young

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### 1. CALL TO ORDER OF INAUGURAL MEETING AND ACKNOWLEDGEMENT

Acting Mayor Tricia McKay called the Inaugural Meeting of Council to order at 7:00 p.m.

### 2. OATH OF OFFICE

The Corporate Officer administered the Oath of Office to the Mayor and congratulated her on her Council position.

Mayor Beeston assumed the Chair.

### 3. MAYOR'S INAUGURAL ADDRESS

Mayor Beeston presented her inaugural address:

In a world where communities are the cornerstone of societal progress, the chance to serve and contribute to their growth is a profound honour and I am deeply grateful for the opportunity to serve my community.

First and foremost, I extend my sincere gratitude to all those who placed their trust in me; to the friends, family and community members who encouraged and

supported me. Your belief in my capabilities has been the driving force behind my decision to serve. I am committed to working diligently every day to justify the faith you have placed in me. The journey to this point has been marked by the unwavering support of many individuals; your words of encouragement, advice and assistance have been invaluable. It is said it takes a village to raise a child, I believe it also takes a village to nurture a leader. I am fortunate to be part of a community that embodies this spirit of collective growth and support.

As the 23<sup>rd</sup> mayor in Ladysmith's history, I look forward to working closely with the Council and staff. Our collective efforts will be pivotal in addressing the needs and aspirations of our community. By fostering a collaborative environment, we can leverage our diverse skills and perspectives to create solutions that are not only effective but also inclusive. The Council and staff play a crucial role in the governance and administration of our community; their expertise, dedication and commitment to service are commendable. I am eager to learn from their experiences and work alongside them to achieve our shared goals. Together we will strive for excellence in every aspect of our service.

A thriving community is one where every member feels valued and heard. I invite you, the community members, to stay engaged and share your ideas. Your input is vital in shaping the future of our community. Whether through town hall meetings, surveys, or informal conversations, your voice matters. I am committed to maintaining open lines of communication and ensuring that your contributions are acknowledged and acted upon. The opportunity to serve my community is a privilege I do not take lightly. I am committed to working tirelessly to meet our community's needs and build a future that reflects our shared values and aspirations. Thank you once again to everyone who supported me on this journey; together we will achieve great things.

#### **4. AGENDA APPROVAL**

##### **CS 2025-066**

That Council approve the agenda for this Inaugural Meeting of Council for March 18, 2025 as amended to include the following changes:

- Revisions to the first recommendation of Item 8.1 related to "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205", as well as the associated bylaw.
- The addition of New Business Item 11.1, "Reporting on Items Removed or Deferred Prior to Publication of the Agenda"

*Motion Carried*

## **5. APPOINTMENTS**

### **5.1 Cowichan Valley Regional District Director**

#### **CS 2025-067**

That Council appoint Mayor Beeston as the Town of Ladysmith Director on the Cowichan Valley Regional District Board for the 2025 term.

*Motion Carried*

### **5.2 Signing Authorities 2025-2026**

#### **CS 2025-068**

That Council appoint the following members of Council for payment signing authority at Ladysmith & District Credit Union and Municipal Finance Authority:

- Mayor Deena Beeston
- Councillor Ray Gourlay
- Councillor Tricia McKay
- Councillor Duck Paterson

*Motion Carried*

## **6. DELEGATIONS**

### **6.1 Vanessa Daether, Executive Director, Cowichan Green Community**

Vanessa Daether, incoming Executive Director of Cowichan Green Community, provided a video presentation that summarized the society's many programs and the organization's accomplishments over the past year. Ms. Daether thanked outgoing ED Judy Stafford as well as the staff and volunteers of the Cowichan Green Community for their hard work and support.

Council expressed their sincere gratitude for the dedication and efforts of the Cowichan Green Community team, acknowledging the significant impact of their work on the community.

## **7. MINUTES**

### **7.1 Minutes of the Regular Meeting of Council held March 4, 2025**

#### **CS 2025-069**

That Council approve the minutes of the Regular Meeting of Council held March 4, 2025.

*Motion Carried*

## **8. COMMITTEE MINUTES**

### **8.1 Committee of the Whole - March 11, 2025**

#### **CS 2025-070**

That Council receive the recommendation from the March 11, 2025 Committee of the Whole meeting regarding short-term rental regulation and direct staff to bring "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205" to a future meeting of Council for first and second readings.

*Motion Carried*

OPPOSED: Councillor Stevens.

#### **CS 2025-071**

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].

*Motion Carried*

#### **CS 2025-072**

That Council direct staff to send a letter to the Royal Canadian Marine Search and Rescue (RCMSAR) Branch 29 in Ladysmith, recognizing their outstanding contributions to marine safety and emergency response, and congratulating them on receiving the Emergency Management Exemplary Service Award.

*Motion Carried*

#### **CS 2025-073**

That Council direct staff to investigate potential hazards in buildings brought forward to the Committee by Councillor Paterson and return to Council with recommendations for next steps.

*Motion Carried*

## **9. REPORTS**

### **9.1 Official Results of the 2025 Town of Ladysmith By-Election for the Office of Mayor**

#### **CS 2025-074**

That Council receive the report from the Chief Election Officer dated March 18, 2025, regarding the Official Results of the 2025 Town of Ladysmith By-Election for the Office of Mayor held March 1, 2025.

*Motion Carried*

## **10. BYLAWS**

### **10.1 Bylaw Status Sheet**

## **11. NEW BUSINESS**

### **11.1 Reporting on Items Removed or Deferred Prior to Publication of the Agenda**

#### **CS 2025-075**

That Council direct staff to provide a briefing to Council, as part of the weekly activity update, on any items that are deferred, amended, or removed prior to the agenda's publication.

*Motion Defeated*

OPPOSED: All members of Council.

#### **CS 2025-076**

That Council direct staff to prepare and present a report at a future meeting of Council outlining the operational considerations of providing a briefing to Council as part of the weekly activity update, on agenda items that are deferred, amended or removed prior to publication.

*Motion Carried*

OPPOSED: Councillor Gourlay.

## **12. QUESTION PERIOD**

A member of the public congratulated the mayor on her new role on Council and inquired about the nature of the activity updates.

Another member of the public also congratulated the mayor and requested that members of Council and staff speak clearly into the microphones.

**13. ADJOURNMENT**

**CS 2025-077**

That this Inaugural Meeting of Council be adjourned at 7:53 p.m.

*Motion Carried*

CERTIFIED CORRECT

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Mayor (D. Beeston)

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Corporate Officer (S. Bouma)



**STAFF REPORT TO COUNCIL**

**Report Prepared By:** Julie Tierney, Executive Liaison  
**Reviewed By:** Allison McCarrick, CAO  
**Meeting Date:** April 1, 2025  
**File No:** 0550-02  
**Re:** Agenda Preparation

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**RECOMMENDATION:**

That Council consider adding a standing update to the weekly internal communications memo provided by staff to Council when items are removed, deferred or amended from a draft Council agenda.

**EXECUTIVE SUMMARY:**

The weekly activity update is provided to Council and staff for information only. Its purpose is to keep Council updated on town business and provide key talking points when receiving a question from a resident.

**PREVIOUS COUNCIL DIRECTION:**

CS 2025-076	2025-03-18	That Council direct staff to prepare and present a report at a future meeting of Council outlining the operational considerations of providing a briefing to Council as part of the weekly activity update, on agenda items that are deferred, amended or removed prior to publication.
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**INTRODUCTION/BACKGROUND:**

Under the *Community Charter (section 116)* the mayor is the head and chief executive officer of the municipality. In most municipalities the mayor is responsible for reviewing the council agenda contents in consultation with senior staff to ensure the items for discussion introduce bylaws, resolutions and other measures that in the mayor's opinion may assist the peace, order and good government of the municipality.

At the Council meeting held on March 18<sup>th</sup>, Councillor Stevens brought forth his concerns that if the Mayor amends, rejects or defers proposed agenda items prior to publication, Council would be unaware and suggested that this information be supplied through the weekly activity update. Past agenda preparation history would indicate that items are rarely deferred, amended or removed at the request of the Mayor during the draft agenda review. Items brought forward by individual councillors are placed on the agenda and if the Mayor disagrees a discussion takes place between the parties to ensure the appropriateness of the item being removed, deferred or amended.

Staff have provided options for Council's consideration below.

**OPTIONS:**

Council can choose to:

1. Keep the current practice.
2. Have staff create a standing section on the weekly Council update to include items that have been removed, deferred or amended during the agenda preparation.
3. Other direction as provided by Council.

**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.***

**Allison McCarrick, Chief Administrative Officer**

**STAFF REPORT TO COUNCIL**

**Report Prepared By:** Vidhi Kyada, Planning Technician  
**Reviewed By:** Jake Belobaba RPP, MCIP, Director of Development Services  
**Meeting Date:** April 1, 2025  
**File No:** DP 3060-24-25  
**RE:** Development Permit 3060-24-25 – 303 Chemainus Road

**RECOMMENDATION:**

That Council issue Development Permit 3060-24-25 to allow the construction of a greenhouse at 303 Chemainus Road (Lot A, District Lot 43, Oyster District, and District Lot 2122, Cowichan District, Plan EPP127840, PID: 032-313-535).

**EXECUTIVE SUMMARY:**

The purpose of this report is to introduce a proposal to construct a Greenhouse at 303 Chemainus Road. The proposed development requires a development permit.

Staff recommend approval of DP 3060-24-25 (Attachment B) based on consistency with the Multi-Unit Residential - Development Permit Area 4 guidelines.

**PREVIOUS COUNCIL DIRECTION:**

Resolution	Meeting Date	Resolution Details
2008-352	June 26, 2008	<p>It was moved, seconded and carried that the following improvements be accepted from the applicant for 3060-08-04:</p> <ul style="list-style-type: none"> <li>a) beach access off of Gill Road;</li> <li>b) pedestrian walkway access to the highway;</li> </ul> <p>And that the applicant be requested to undertake a traffic study for Chemainus Road access;</p> <p>And that the applicant be requested to provide a bus stop on the site of the development;</p> <p>And that Council direct that the development will not be a "gated community".</p> <p>And that staff work with the applicant to include these items in the Master Development Agreement.</p>
2008-353	June 26, 2008	<p>It was moved, seconded and carried that consideration of Development Variance Permit 3090-08-02 and Development Permit 3060-08-04 be deferred;</p> <p>And that the applicant be directed to redesign the south end of the Fan Building to as close as possible to the 12-metre height limit;</p>

Resolution	Meeting Date	Resolution Details
		<p>And that the applicant be directed to redesign the Crescent Building to 5 storeys plus 1 penthouse;</p> <p>And that staff be directed to work with the applicant to consider a stepped height (tiered setback) for the Crescent Building adjacent to King Road.</p> <p>And that staff be requested to notify the neighbours adjacent to the development of the date of the Council meeting where the proposed change will be considered;</p> <p>And further that staff be directed to provide to Council the Master Development Agreement (covenant) provided by the applicant.</p>
2008-355	June 26, 2008	<p>It was moved, seconded and carried that the portion of the Development Variance Permit application 3090-08-02 dealing with the variance for the Waterfront Building to permit an 8-metre setback from the natural boundary of the sea be granted.</p>
2008-434	August 5, 2008	<p>It was moved, seconded and carried that DVP 08-02 be approved as presented for 303 Chemainus Road;</p> <p>And that the Master Development Agreement (covenant) provided by the applicant include a statement that a marina will not be constructed; and that the tree protection plan include strategies to protect trees on municipal land adjacent to the subject property;</p> <p>And that DP 08-04 be issued for the redevelopment of 303 Chemainus Road;</p> <p>And further that the Mayor and Corporate Officer be authorized to sign and seal DVP 08-02 and DP 08-04;</p> <p>And that staff be directed to issue the permits following consideration of the Master Development Agreement by Council.</p>

## **INTRODUCTION/BACKGROUND:**

### **Subject property**

The subject property is a 2.15-hectare parcel located at 303 Chemainus Road. The property is currently designated Multi-Family Residential under the “Official Community Plan Bylaw 2022, No. 2200” (OCP) and falls within the Commercial (DPA 3), Multi-Unit Residential (DPA 4) and Hazard Lands (DPA 7) development permit areas.

The parcel is split-zoned into Medium Density Residential (R-3) and Tourist Service Commercial (C-4) in the “Town of Ladysmith Zoning Bylaw 2014, No. 1860”. The property currently contains a roadhouse fronting Chemainus Road, a boathouse on the ocean and a cabin near the King Road.

Surrounding land-uses include:

- Northwest: Single-family dwellings zoned R-1.
- Northeast: Ladysmith Harbour.
- Southeast: Single-family dwellings zoned R-1.
- Southwest: Chemainus Road and Trans-Canada Highway.

A map of the subject property is provided in Attachment A.

### **Background**

In February 2008, the Town received applications for a development permit (DP 3060-08-04) to allow the construction of three multi-family buildings and 11 townhouse units, totaling 83 residential strata units, and a development variance permit (DVP 3090-08-02) to vary the height of the two buildings and a horizontal setback from the top of the bank slope. DVP 3090-08-02 and DP 3060-08-04 were approved at the August 5, 2008, Council meeting, subject to completion of a Master Development Agreement. As the Master Development Agreement was not finalized, the permits were not executed or registered on the certificate of title and therefore, these permits lapsed on August 13, 2010.

A new development permit application was received on February 27, 2023 (DP 3060-23-04), for a multi-unit development consisting of four buildings with nine dwelling units and a greenhouse. However, due to concerns regarding the hazardous slopes at the rear of the parcel and the time needed to address these issues, the applicant chose to separate the greenhouse component and apply for a separate development permit for it. The application for the greenhouse (DP 3060-24-25) was received on December 18, 2024.

### **PROPOSAL:**

The applicant is seeking a development permit for the part of the property zoned Medium Density Residential (R-3) and located within Multi-Unit Residential (DPA-4) development permit area to accommodate a greenhouse with a gross floor area of 60 square meters, a height of 3.85 meters, and a material palette consisting of glass and brick.

The greenhouse is an accessory building and would be located next to an existing flower and vegetable garden. The greenhouse will support the functional needs of this garden, offering essential space for gardening activities and enhancing the overall usability of the area. The greenhouse will serve as a centerpiece of the development.

A letter of rationale from the applicant is provided as Attachment C.

### **ANALYSIS:**

For the reasons outlined below, staff recommend the proposal be approved.

#### **Official Community Plan**

Under the OCP, the subject property is currently designated Multi-Family Residential. The Multi-Family Residential designation is intended to increase the diversity and density of multi-family residential types and tenures.

The proposal is consistent with the OCP Designation. The property is also located within Development Permit Area – 3 (Commercial), Development Permit Area – 4 (Multi-Unit Residential) and Development Permit Area – 7 (Hazard Lands) under the OCP. The proposed greenhouse is located within a DPA 4. Therefore, a DP is required.

The proposed greenhouse is outside of DPA 3 (Commercial) and DPA 7 (Hazard Lands), so this proposal does not require a Commercial or Hazard Lands Development Permit.

The following OCP policy is relevant to the proposal:

- Policy 2.4 General Land Use Policies:
  - ab. Encourage food production in public and private lands and buildings. Examples include community gardens, Indigenous harvesting spaces, edible landscaping, permaculture, and small urban farms including those with urban farm animals such as chickens.

### Zoning Bylaw

The subject property is zoned C-4 and R-3 in the Zoning Bylaw. The R-3 zone permits multi-unit dwellings as a principal use and two accessory buildings. The proposal meets all the relevant Zoning Bylaw regulations.

### Development Permit Area 4 – Multi-Unit Residential

The purpose of DPA 4 is to achieve a high level of design for multi-unit development, to enhance the Town's neighbourhoods, and to ensure that development is complementary to the existing character of Ladysmith. These guidelines intend to ensure multi-unit residential developments are integrated within existing residential neighbourhoods and enhance the vibrancy, livability, and sustainability of Ladysmith, while promoting sustainable design and housing choices.

Table 2 summarizes the analysis of the applicant's proposal against the DPA 4 guidelines.

*Table 2: Summary of DPA4 guidelines and staff comments.*

DPA 4 Guidelines	Staff Comments
Building Design	<ul style="list-style-type: none"> <li>• The greenhouse compliments the proposed housing cluster within the property.</li> <li>• It incorporates glass and wooden structures and forms the centerpiece of the property, blending functionality with aesthetic appeal.</li> </ul>
Building Siting & Massing	<ul style="list-style-type: none"> <li>• The height of the proposed greenhouse is within the permitted height for accessory buildings in the Zoning Bylaw.</li> </ul>
Building Frontage	<ul style="list-style-type: none"> <li>• The building is articulated and visually broken-up into smaller façades.</li> <li>• All the façades are glass walls on a low height brick wall.</li> <li>• The greenhouse is a prominent art element within the property.</li> </ul>
Roof Form	<ul style="list-style-type: none"> <li>• The building façades are articulated through the use of varying projections and rooflines modulations.</li> </ul>
Windows & Doors	<ul style="list-style-type: none"> <li>• The building entrance is clearly defined through its design</li> <li>• Entry on both sides of the greenhouse provides visual interest to the surrounding context.</li> </ul>
Materials & Colours	<ul style="list-style-type: none"> <li>• The building's colour palette is a neutral gradient of earthy colours/materials like wood, brick and grey aluminum.</li> </ul>
Landscaping	<ul style="list-style-type: none"> <li>• No disturbance to the existing trees or landscape.</li> </ul>
Rainwater Management	<ul style="list-style-type: none"> <li>• Roof leaders will drain to rainwater collection barrels (as other buildings onsite currently do) with overflow away from the buildings, with overland flow paths (swales &amp; rain gardens).</li> <li>• Slotted drains and foundation perimeter drains will be directed to a subsurface rock pit away from the building foundations.</li> </ul>

**ALTERNATIVES:**

Council can choose to:

1. Not issue DP 3060-24-25 and specify the reasons for refusal, citing specific development permit guidelines.
2. Defer consideration of the application and refer the proposal to a subsequent meeting of Council.
3. Amend the conditions of DP 3060-24-25 and approve the issuance of the permit as amended.
4. Refer the application back to staff for further review, as specified by Council.

**FINANCIAL IMPLICATIONS:**

N/A

**LEGAL IMPLICATIONS:**

Standard requirements for Council consideration and referrals under provincial legislation have been accounted for in staff's review and processing of the application and in the recommendations of this report.

If Development Permit 3060-24-25 is refused, reasons must be given based on the DPA 4 Guidelines as the issuance of a DP is not a completely discretionary decision of Council.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

No public hearing or public notification is required for the proposed development permit application.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

The application was circulated amongst Town departments for review. Their comments are summarized below:

*Table 3: Department Comments*

<b>Referred (Yes/No)</b>	<b>Department</b>	<b>Comments</b>
Yes	Infrastructure Services	The greenhouse will need to connect to an existing sanitary service.
Yes	Building Inspection	All the site servicing details needs to be finalized including geotechnical storm/rock pit designs before the issuance of Building Permit.
No	Parks Recreation and Culture	N/A
No	Financial Services	N/A
No	Corporate Services	N/A
No	Fire/Protective Services	N/A

**COMMUNITY PLANNING ADVISORY COMMITTEE (CPAC) REVIEW:**

Under CPAC Terms of Reference, a CPAC review of this application is not required.

**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**

**ATTACHMENTS:**

- A. Subject Property Map
- B. Development Permit 3060-24-25
- C. Applicant's Letter of Rationale





 Subject Property

LOCATION MAP



 Subject Property

ZONING MAP



 Subject Property

DPA MAP

# ATTACHMENT - B



## TOWN OF LADYSMITH DEVELOPMENT PERMIT AMENDMENT

(Section 489 *Local Government Act*)

FILE NO: 3060-24-25

DATE: April 01, 2025

---

Name of Owner(s) of Land (Permittee): Pamela Anderson

Applicant: Darryl Jonas (Architect AIBC)

Subject Property (Civic Address): 303 Chemainus Road

---

1. This Development Permit is subject to compliance with all of the bylaws of the Town of Ladysmith applicable thereto, except as specifically varied by this Permit.
2. This Permit applies to and only to those lands within the Town of Ladysmith described below, and any and all buildings structures and other development thereon:  
  
**Lot A, District Lot 43, Oyster District, and District Lot 2122, Cowichan District,  
Plan EPP127840  
PID: 032-313-535  
(303 Chemainus Road)  
(referred to as the "Land")**
3. This Permit has the effect of authorizing the alteration of Land and issuance of a building permit for the construction of a greenhouse on the land, located within Development Permit Area 4 – Multi-Unit Residential as designated within the Official Community Plan under section 488 of the *Local Government Act*, in accordance with the plans and specifications attached to this Permit, and subject to the conditions, requirements, and standards imposed and agreed to in this Permit and all applicable laws.
4. This Permit does not have the effect of:
  - (a) Authorizing the alteration of land or issuance of building permits on the land located within Development Permit Area 3 – Commercial and Development Permit Area 7 – Hazard Lands as designated within the

Official Community Plan under section 488 of the *Local Government Act*.

(b) Varying the use or density of the Land specified in Town of Ladysmith Zoning Bylaw 2014, No. 1860.

5. The Permittee, as a condition of the issuance of this Permit, agrees to develop the Land in accordance with **Schedule I – Site Plan** and **Schedule II – Greenhouse Drawings**, attached to and forming part of this Permit.
6. Pursuant to section 504(1) of the *Local Government Act*, if the Permittee does not substantially start any construction permitted by this Permit within **two years** of the date of this Permit as established by the authorizing resolution date, this Permit shall lapse.
7. For the purposes of section 6, construction is considered to be substantially started where:
  - (a) a valid building permit has been issued for the development;
  - (b) a foundation has been constructed; and
  - (c) all works that have occurred on site are in compliance with this permit and the bylaws of the Town.
8. The plans and specifications attached to this Permit are an integral part of this Permit.
9. Pursuant to section 501(2) of the *Local Government Act* the Land described herein shall be developed strictly in accordance with terms, conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part thereof.
10. Pursuant to section 503 of the *Local Government Act*, notice of this Permit shall be filed in the Land Title Office. Upon such filing, the terms of this Permit (**3060-24-25**) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
11. This Permit prevails over the provisions of the Bylaw in the event of conflict.
12. Issuance of this Permit does not relieve the Permittees from complying with all other applicable laws or regulations by other approving authorities.
13. Despite issuance of this permit, construction may not start without a Building Permit or other necessary permits.

AUTHORIZED BY RESOLUTION NO. \_\_\_\_\_ PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH ON THE 1<sup>st</sup> DAY OF APRIL, 2025.



**SCHEDULE I - Site Plan**  
**DP 3060-24-25**  
**303 Chemainus Road**

OPA 7 area as transposed  
from Town of Ladysmith  
information (shaded)

Proposed Greenhouse

EXISTING CABIN

Bedrooms: 3  
Area: 663 sf (61.39sm)  
FL. EL. 65.7' +/- (19.8m)

PARKING  
1 standard stalls: 1 per Suite  
Size: 8'-6" x 19'-0" (2.6m x 5.8m)  
Aisle: 24'-0" (7.4m)

EXISTING ROADHOUSE

Bedrooms: 3  
Area: L1 542 sf (50.35sm)  
L2 1,111 sf (103.22sm)  
L3 689 sf (64.01sm)  
Main FL. EL. 71.3' (21.8m)

PARKING  
1 standard stalls: 1 per Suite  
Size: 8'-6" x 19'-0" (2.6m x 5.8m)  
Aisle: 24'-0" (7.4m)

EXISTING BOATHOUSE

Bedrooms: 3  
Area: L1 1,272 sf (118.17sm)  
L2 1,272 sf (118.17sm)  
Upper FL. EL. 23.6' (7.19m)  
Lower FL. EL. 8.8' (2.68m)

PARKING  
1 standard stalls: 1 per Suite  
Size: 8'-6" x 19'-0" (2.6m x 5.8m)  
Aisle: 24'-0" (7.4m)

**ZONING DATA**

Civic Address  
303 Chemainus Road, Ladysmith, BC

Legal Description  
THAT PART OF LOT 43, OYSTER DISTRICT, SHOWN OUTLINED IN RED ON  
PLAN 835-R, EXCEPT THAT PART IN PLANS 7094 AND VIP58434, AND  
DISTRICT LOT 2122, COWICHAN DISTRICT

Zone  
Medium Density Residential R-3  
Tourist Service Commercial C-4

Principal Use  
Residential, townhouse

Site Area  
Total 2.1505 Ha 5.31 Ac  
R3 zone 1.9368 Ha 4.79 Ac  
C4 zone 0.2137 Ha 0.52 Ac

**Gross Floor Area**

Existing Buildings		
Roadhouse	217.58 sm	2,342 sf
Cabin	61.59 sm	663 sf
Boathouse	236.35 sm	2,544 sf
Electrical Service Shed	7.67 sm	82 sf
<b>Total</b>	<b>523.19 sm</b>	<b>5,631 sf</b>

**Proposed Buildings**

Greenhouse	60.00 sm	645 sf
<b>Total</b>	<b>60.00 sm</b>	<b>645 sf</b>

**Floor Space Ratio**

Maximum	2.00
Actual	0.03
Site Area	21,505.00 sm
Building Area	583.19 sm
FSR	0.027

**Number of Units**

Maximum	116	60 units per Ha (within R3 zone area)
Actual	3	(3 existing)

**Height**

Accessory Building	maximum	actual
Greenhouse	7.50 m (24.6')	4.83 m (15.9')

**Vehicle Parking**

	# of Units	required	existing
1 Bedroom Units	0	1	1
2 Bedroom Units	1	1	1
3 Bedroom Units	2	1	1
<b>Total</b>		<b>3</b>	<b>3</b>

**1 Site Plan**  
Scale: 1" = 30'-0"

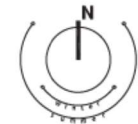
Building Gross Floor Areas

Existing Roadhouse	2,342 sf	(217.58 sm)
Existing Cabin	663 sf	(61.59 sm)
Existing Boathouse	2,544 sf	(236.35 sm)
Electrical Service Shed	82 sf	(7.67 sm)
<b>Total</b>	<b>5,631 sf</b>	<b>(523.19 sm)</b>

Greenhouse	645 sf	(60.00 sm)
<b>Total</b>	<b>6,276 sf</b>	<b>(583.19 sm)</b>

darryl jonas  
**ARCHITECT**

ABC | March BEDS NZCD (arch)  
P.O. Box 235 Shawigan Lake BC  
250 701 1032 djonas@telus.net



BP Submission 16 Dec '24  
DP Submission 16 Dec '24  
General review 12 Nov '24  
Issue date

**ARCADY  
GREENHOUSE**

303 Chemainus Road  
Ladysmith, BC

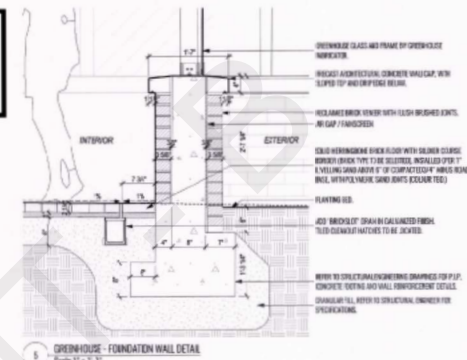
title

**SITE PLAN**

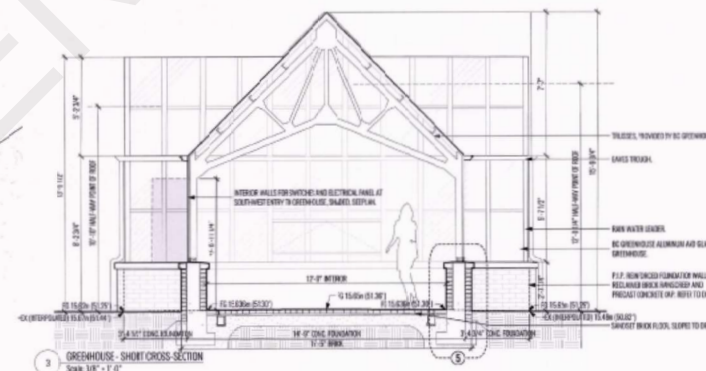
date	scale
10 Nov '24	1" = 30'
drawn	revision
DJ	0
sheet	

**A1.1**

**SCHEDULE II - Greenhouse Drawings**  
DP 3060-24-25  
303 Chemainus Road  
2 Pages



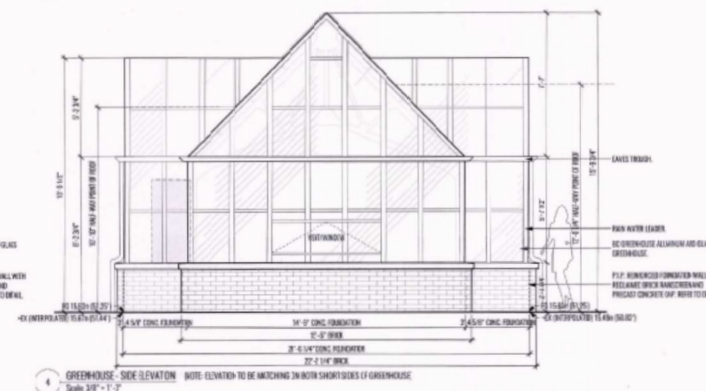
1. ALL EXISTING MATERIALS AND CONSTRUCTION SHALL BE REFINISHED TO MATCH EXISTING MATERIALS AND CONSTRUCTION, UNLESS NOTED.
2. ALL DIMENSIONS AND CONSTRUCTION SHALL BE REVIEWED FOR CONFORMANCE WITH THE CITY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS, DIVISION OF PLANNING AND DESIGN ARCHITECT.
3. EXISTING CONSTRUCTION SHALL BE EXAMINED AND PHOTOGRAPHICALLY DOCUMENTED PRIOR TO ANY DEMOLITION OR RECONSTRUCTION.
4. SPECIAL NOT-TO-BE-TAINT UNLESS NOTED IF IT IS DEMOLISHED SHALL BE IDENTIFIED AND PHOTOGRAPHICALLY DOCUMENTED PRIOR TO ANY DEMOLITION OR RECONSTRUCTION.
5. ALL UTILITIES SHALL BE EXPOSED BY UTILITY LOCATIONS AND DEPT. OF PUBLIC WORKS, DIVISION OF PLANNING AND DESIGN ARCHITECT PRIOR TO ANY DEMOLITION OR RECONSTRUCTION. UTILITIES SHALL BE RECOVERED AND RELOCATED OR RECONSTRUCTED. UTILITIES SHALL BE APPROVED BY THE CITY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS, DIVISION OF PLANNING AND DESIGN ARCHITECT PRIOR TO ANY CONSTRUCTION.
6. MATERIAL OF FINISHED FLOORING SHALL BE EXAMINED AND PHOTOGRAPHICALLY DOCUMENTED PRIOR TO ANY DEMOLITION OR RECONSTRUCTION. FINISHED FLOORING SHALL BE RECOVERED AND RELOCATED OR RECONSTRUCTED. FINISHED FLOORING SHALL BE APPROVED BY THE CITY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS, DIVISION OF PLANNING AND DESIGN ARCHITECT PRIOR TO ANY CONSTRUCTION.
7. MATERIAL OF FINISHED FLOORING SHALL BE EXAMINED AND PHOTOGRAPHICALLY DOCUMENTED PRIOR TO ANY DEMOLITION OR RECONSTRUCTION. FINISHED FLOORING SHALL BE RECOVERED AND RELOCATED OR RECONSTRUCTED. FINISHED FLOORING SHALL BE APPROVED BY THE CITY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS, DIVISION OF PLANNING AND DESIGN ARCHITECT PRIOR TO ANY CONSTRUCTION.
8. MATERIAL OF FINISHED FLOORING SHALL BE EXAMINED AND PHOTOGRAPHICALLY DOCUMENTED PRIOR TO ANY DEMOLITION OR RECONSTRUCTION. FINISHED FLOORING SHALL BE RECOVERED AND RELOCATED OR RECONSTRUCTED. FINISHED FLOORING SHALL BE APPROVED BY THE CITY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS, DIVISION OF PLANNING AND DESIGN ARCHITECT PRIOR TO ANY CONSTRUCTION.
9. ALL PROPOSED FINISHED FLOORING SHALL BE APPROVED BY THE CITY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS, DIVISION OF PLANNING AND DESIGN ARCHITECT PRIOR TO ANY CONSTRUCTION.



- ATTENTION NOTE:**
1. CONTRACTOR TO PROVIDE SHIP DRAWINGS FULLY COMING AL WITH AND CORRECT WITH AN INDUSTRY SEAL.
  2. SAMPLES TO BE PROVIDED FOR APPROVAL OF LANDSCAPE AND TREE PLANTING CONTRACTOR.
  3. PROVIDE ALL FURNITURE AND ACCESSORIES WITH NO CORNER WEIGHT.
  4. ALL MATERIALS TO BE GALVANIZED OR AS SPECIFIED.
  5. METAL TO BE SAE APPROVED A SENSITIVE OR OTHERWISE.
  6. ALL WOODS TO BE GALVANIZED AND SENSITIVE TO CORROSION AND ALUM.
  7. FOR PAINTING METAL: 2 COATINGS, ONE PRIMER, 2 COATINGS. PRIMER TO BE GALVANIZED, COLOR TO BE SELECTED.
  8. ALL NOT CORNER GALVANIZED OR OTHERWISE. WHEN GALVANIZED OR OTHERWISE, TWO PRIMER COATS AND TWO COATINGS PRIMER TO BE GALVANIZED, COLOR TO BE SELECTED.
  9. ALL COATING MATERIALS TO BE SELECTED TO BE PROVIDED FOR WINDY AND REPAIRED AND PROVIDED AS REQUIRED TO ENTER NEW MATERIALS.

12:00 PM	DAVID R. HISHOP
14:00 PM	COOPER KIM ANDRETTI BERNARDINO TRINIDAD
14:00 PM	COOPER KIM ANDRETTI BERNARDINO TRINIDAD
14:00 PM	COOPER KIM ANDRETTI BERNARDINO TRINIDAD
14:17 PM	COOPER KIM ANDRETTI BERNARDINO TRINIDAD
14:18 PM	COOPER KIM ANDRETTI BERNARDINO TRINIDAD
15:02 PM	COOPER KIM ANDRETTI BERNARDINO TRINIDAD

DATE	PROJECT DESIGN
04/17/03	CONCEPT AND DESIGN OF CIVIL ENGINEERING
05/02/03	NO ENGINEERING
	WATER CONSTRUCTION



- DRAWING FOR EARTH-FILL CONSTRUCTION, SEESE EARTHWORK NOTES**

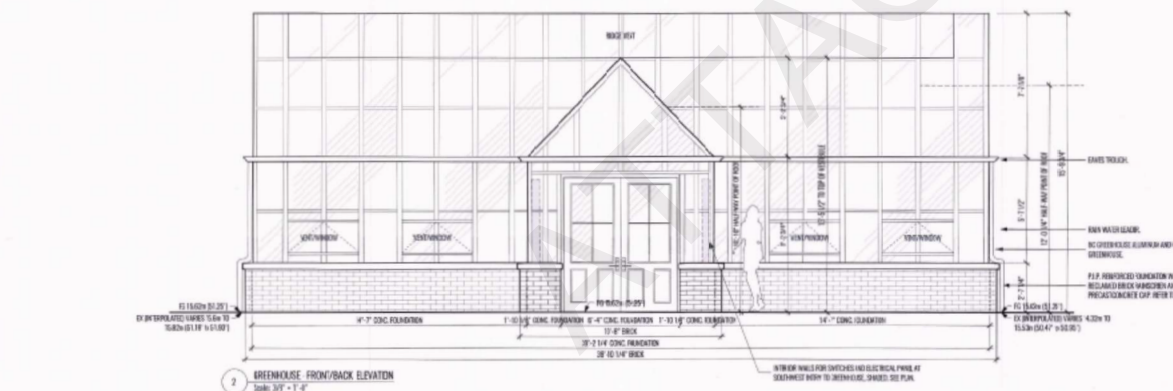
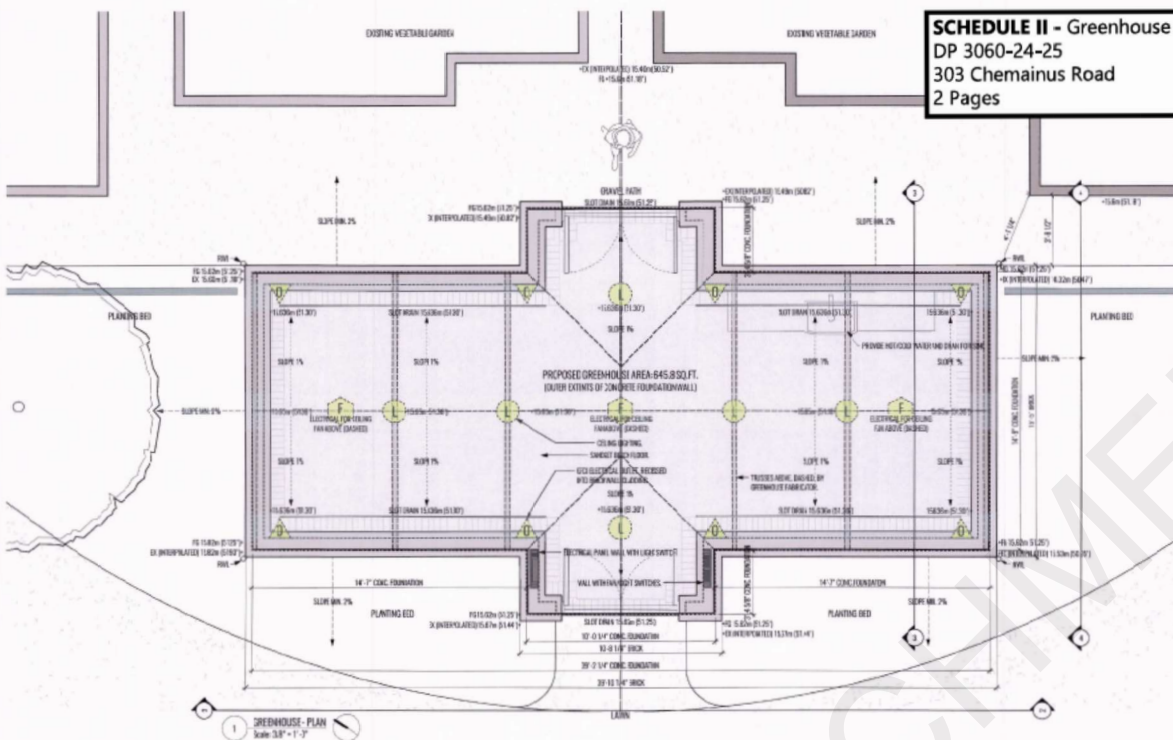
PAUL SANGHA CREATIVE

**ARCADY**  
310 CHEVINGE ROAD  
LAUREL, MD

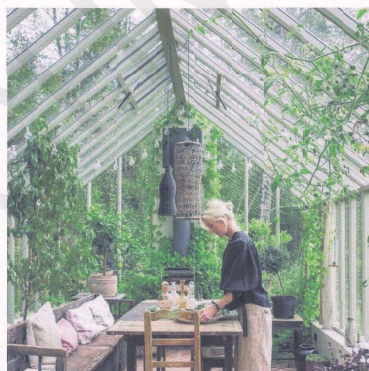
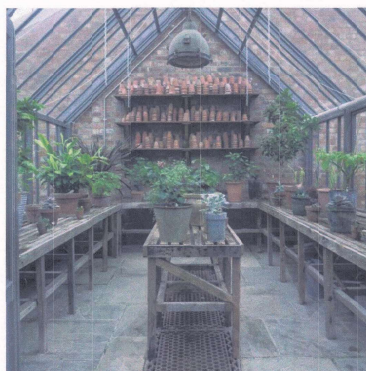
**GREEN HOUSE DETAILS**

DATE: 08/25/02  
BY: CJC  
CAGE: 41-0100  
SUBJECT: CB  
CHECKED BY: CJP

L-8.05 R2







DATE	ISSUED FOR/ISSUANCE
14.11.18	ISSUED FOR/ISSUE
14.12.13	ISSUED FOR/ISSUE
20.02.13	ISSUED FOR/ISSUE

AMERICAN COLUMBIAN SOCIETY  
REGISTERED MEMBER  
**DAVID A. BISHOP**  
571  
LANDSCAPE ARCHITECT

*David Bishop*

DATE	PROJECT STATUS
14.12.03	CONCEPTUAL MASTER PLAN
20.02.10	17 DEVELOPMENTAL PERMITS 81 (BULK/GRADING PERMIT) THREE CONSTRUCTION

BEFORE NOT ISSUED FOR CONSTRUCTION UNLESS OTHERWISE NOTED

PAUL SANGHA CREATIVE

**ATCADDY**  
303 CHEMUNUS ROAD  
LOUISVILLE, KY

**GREENHOUSE REFERENCE IMAGES**

DATE: 2025 Feb 0  
XREF: 22-31  
SCALE: NOT TO SCALE  
DRAWN BY: DB  
CHECKED BY: DB

06 December 2024

Mayor and Council  
Town of Ladysmith  
410 Esplanade Avenue  
Ladysmith, BC  
V9G 1A2

Dear Mayor and Council,

**Re: Development Permit Application, Greenhouse  
303 Chemainus Road, Ladysmith, BC**

Arcady, the property located at 303 Chemainus Road, has been held in the Anderson family for over seven decades. In recent years, the current owner, Pamela Anderson, has been planning a small-scale residential development to provide suitable accommodations and amenities, enabling her family to settle on the property and remain in the community they deeply value.

An integral feature of this development is a Greenhouse accessory building, positioned adjacent to a vibrant flower and vegetable garden. The Greenhouse will support the functional needs of the garden, offering essential space for gardening activities and enhancing the overall usability of the area. As a centerpiece of the development, the greenhouse is envisioned to become a key element of the property's design, blending functionality with aesthetic appeal.

A planning process for the property is currently underway, and a comprehensive development permit submission was made in early 2023. However, recent re-evaluation of the Mainhouse townhouse cluster design and location has prompted an update to the overall development permit, which we are currently coordinating and anticipate submitting in January 2025 for your review and consideration. In the meantime, Pamela would like to proceed with Greenhouse construction, hence this separate application for development and building approval

darryl jonas  
ARCHITECT

I invite you to contact our team for further discussion or clarification of the submission information or Greenhouse design. We are excited about the opportunity to bring this project to life.

Sincerely



Darryl Jonas Architect AIBC  
PO Box 235, Shawnigan Lake, BC  
T 250 701 1032  
E djonas@telus.net



**STAFF REPORT TO COUNCIL**

**Report Prepared By:** Vidhi Kyada, Planning Technician  
**Reviewed By:** Jake Belobaba, RPP, MCIP, Director of Development Services  
**Meeting Date:** April 1, 2025  
**File No:** DVP 3090-25-02  
**RE:** Development Variance Permit – 130 1st Avenue

---

**RECOMMENDATION:**

That Council issue Development Variance Permit 3090-25-02 to vary section 10.4.5 (b) of “Town of Ladysmith Zoning Bylaw 2014, No. 1860” to increase the maximum height of the proposed accessory building from 3.5 metres to 4.1 metres for the construction of a garage at 130 1<sup>st</sup> Avenue (Lot 3, Block 24, District Lot 56, Oyster District, Plan 703, PID: 008-549-907).

**EXECUTIVE SUMMARY:**

The purpose of this report is to introduce a proposal to permit the construction of an accessory building at 130 1<sup>st</sup> Avenue for Council’s consideration. The proposed development requires a development variance permit (DVP) to increase the permitted height of an accessory building. Staff recommend approval of DVP 3090-25-02 (Attachment B) based on analysis of the impacts.

**PREVIOUS COUNCIL DIRECTION:**

N/A

**INTRODUCTION/BACKGROUND:****Subject property**

The subject property is a 667.6 square metre parcel located at 130 1<sup>st</sup> Avenue. The property is currently designated Neighbourhood Residential under the “Official Community Plan Bylaw 2022, No. 2200” (OCP), zoned R-2 under the “Town of Ladysmith Zoning Bylaw 2014, No. 1860” and falls within the Multi-Unit Residential (DPA 4) development permit area. The property currently has a two-storey single-family dwelling unit built in 1905.

The property is surrounded by other single-family dwellings zoned R-2.

A map of the subject property is provided in Attachment A.

**PROPOSAL:**

The applicant proposes varying the height of an accessory building to facilitate the construction of a garage. The proposed accessory building complies with all other regulations of the R-2 zone. The applicant has provided a rationale letter to describe their proposal, which is included in this report as Attachment C.

**ANALYSIS:**

For the reasons outlined below, staff are recommending approval of the proposal.

**Official Community Plan**

The subject property is located within the Neighbourhood Residential designation in the OCP. The Neighbourhood Residential designation is intended to provide residential areas with many housing choices, diverse residential types, tenures and densities. The proposal is consistent with the OCP Designation. The property is also located within Development Permit Area 4 – Multi-Unit Residential (DPA 4) under the OCP. However, since the proposed development consists solely of an accessory building addition to a single-family dwelling, a DP is not required.

**Zoning Bylaw**

The subject property is zoned R-2 in "Town of Ladysmith Zoning Bylaw 2014, No. 1860". The R-2 zone previously permitted a maximum accessory building height of 5.0 metres where a roof pitch of a building is 4:12 or more than 4:12. Bylaw No. 2186, which was adopted on June 27, 2024, reduced the maximum accessory building height to 3.5 metres measured between the lesser of average natural or average finished grade to the midpoint of the sloping roof. The proposed garage exceeds the current maximum accessory building height; therefore, a maximum height variance is required.

**Variance Proposal**

The applicant is requesting to vary the height of the accessory buildings from 3.5m to 4.1m. The increase in height is to accommodate a car lift in the garage and to allow the applicant with adequate space for car remodeling work.

Based on the analysis, staff do not expect negative impacts from the proposed variance, and therefore, recommend approval of DVP 25-02.

**ALTERNATIVES:**

Council can choose to:

1. Not issue DVP 3090-25-02.
2. Defer consideration of the application and refer the proposal to a subsequent meeting of Council.
3. Amend the conditions of the proposed permit and approve the issuance of the permit as amended.
4. Refer the application back to staff for further review, as specified by Council.

**FINANCIAL IMPLICATIONS:**

N/A

**LEGAL IMPLICATIONS:**

Standard requirements for Council consideration and referrals under provincial legislation have been accounted for in the staff's review and processing of the application and in the recommendations of this report.

The *Local Government Act* allows Council to vary Zoning Bylaw regulations (excluding regulations for use, density and rental tenure) through issuance of a DVP. Development Variance Permits are discretionary decisions of Council, and Council has no obligation to approve the proposed variance.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

Mail notification for the proposed development variance permit (DVP 3090-25-02) pursuant to section 499 of the *Local Government Act*, was carried out on March 21, 2025. The notice was mailed and delivered to property owners/residents within 60m of the subject property. No written submissions were received prior to the time of writing this report.

**INTERGOVERNMENTAL REFERRALS:**

N/A

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

The application was circulated amongst Town departments for review. Their comments are summarized below:

*Table 1: Department Comments*

Referred (Yes/No)	Department	Comments
Yes	Infrastructure Services	A storm connection is not required because the proposed garage footprint is not large enough to be required to tie into a storm system.
Yes	Building Inspection	No concerns.
No	Parks Recreation and Culture	N/A
No	Financial Services	N/A
No	Legislative Services/Corporate Services	N/A
No	Fire/Protective Services	N/A

**COMMUNITY PLANNING ADVISORY COMMITTEE (CPAC) REVIEW:**

Under CPAC Terms of Reference a CPAC review of this application is not required.

**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(s).***

**Allison McCarrick, Chief Administrative Officer**

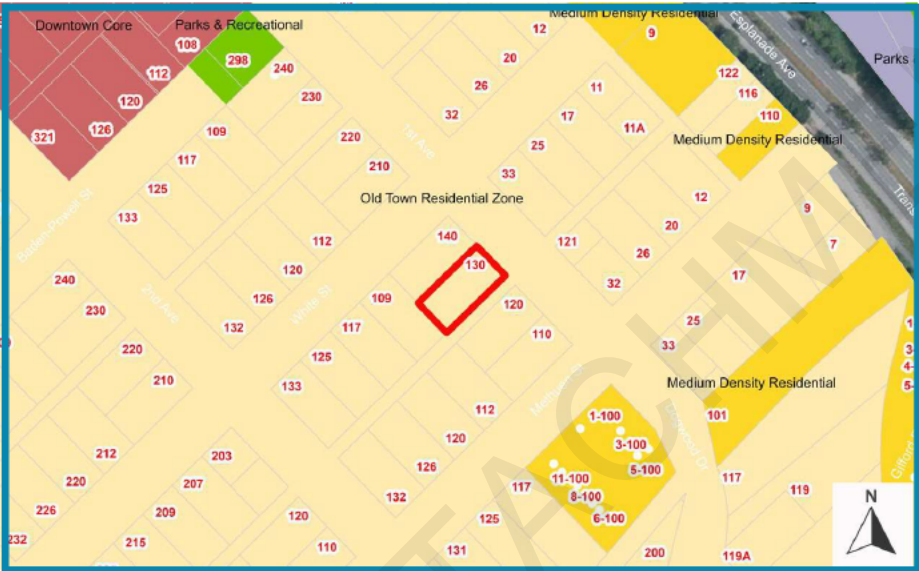
**ATTACHMENT(S):**

- A. Subject Property Map
- B. Development Variance Permit 3090-25-02
- C. Applicant's Letter of Rationale



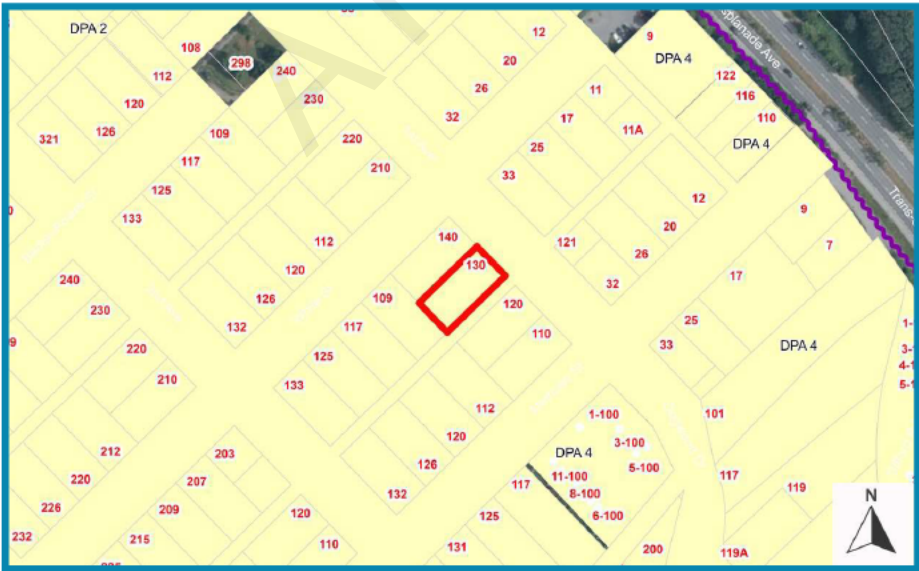
 Subject Property

LOCATION MAP



 Subject Property

ZONING MAP



 Subject Property

DPA MAP

# ATTACHMENT - B



## TOWN OF LADYSMITH DEVELOPMENT VARIANCE PERMIT

(Section 498 *Local Government Act*)

FILE NO: 3090-25-02

DATE: April 01, 2025

---

Name of Owner(s) of Land (Permittee): Kristopher Peter Jacobsen

Applicant: Kristopher Peter Jacobsen

Subject Property (Civic Address): 130 1<sup>st</sup> Avenue

---

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Town of Ladysmith applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies to and only to those lands within the Town of Ladysmith described below and any and all buildings, structures and other development thereon:  
  
**Lot 3, Block 24, District Lot 56, Oyster District, Plan 703**  
**PID: 008-549-907**  
**(130 1<sup>st</sup> Avenue)**  
(referred to as the "Land")
3. Section 10 4.5 (b) of "Old Town Residential (R-1)" zone of the "Town of Ladysmith Zoning Bylaw 2014 No. 1860", as amended, is varied for the Land by increasing the *Height* of an *Accessory Building* from 3.5 metres to 4.1 metres to allow for a construction of an *Accessory Building* as shown in **Schedule A – Survey Plan** and **Schedule B – Building Elevations**.
4. The land described herein shall be developed strictly in accordance with terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part thereof.
5. The following plans and specifications are attached:  
**(a) Schedule A – Survey Plan**  
**(b) Schedule B – Building Elevations**
6. Pursuant to s.504(1) of the *Local Government Act*, if the Permittee does not substantially start any construction permitted by this Permit within **two years** of

7. For the purposes of section 6, construction is considered to be substantially started where:
  - a. a valid building permit has been issued for the development;
  - b. a foundation has been constructed; and
  - c. all works that have occurred on site are in compliance with this permit and the bylaws of the Town.
8. Notice of this Permit shall be filed in the Land Title Office at Victoria under s 503 of the *Local Government Act*, and upon such filing, the terms of this Permit (~~3090-25-02~~) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
9. THIS PERMIT IS NOT A BUILDING PERMIT. No occupancy permit shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Corporate Officer.

**AUTHORIZED BY RESOLUTION NO. \_\_\_\_\_ PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH ON THE 1<sup>st</sup> DAY OF APRIL, 2025.**



SITE PLAN SHOWING PROPOSED BUILDING LOCATION ON:  
LOT 3, BLOCK 24, DISTRICT LOT 56,  
OYSTER DISTRICT, PLAN 703

CLIENT: MUCHALT PROJECTS

CIVIC ADDRESS: 130 FIRST AVENUE

PID: 008-549-907

FILE: 21-130-3

SCALE: 1:200

DRAWN BY: BEP

ZONING: R-2

SITE DATA	
ZONING	R-2
PARCEL SIZE (m) <sup>2</sup>	667.6
PARCEL COVERAGE (%)	25.5
ACCESSORY HEIGHT CALCULATION	
AVERAGE NATURAL GRADE	56.49
AVERAGE FINISHED GRADE	56.00
MAXIMUM BUILDING HEIGHT	3.5m
MAXIMUM PEAK ELEVATION	59.50
PROPOSED BUILDING ELEVATIONS	
PROPOSED GARAGE SLAB ELEVATION	56.08
PROPOSED ROOF ELEVATION	60.04
PROPOSED HEIGHT VARIANCE	0.54

LEGEND:

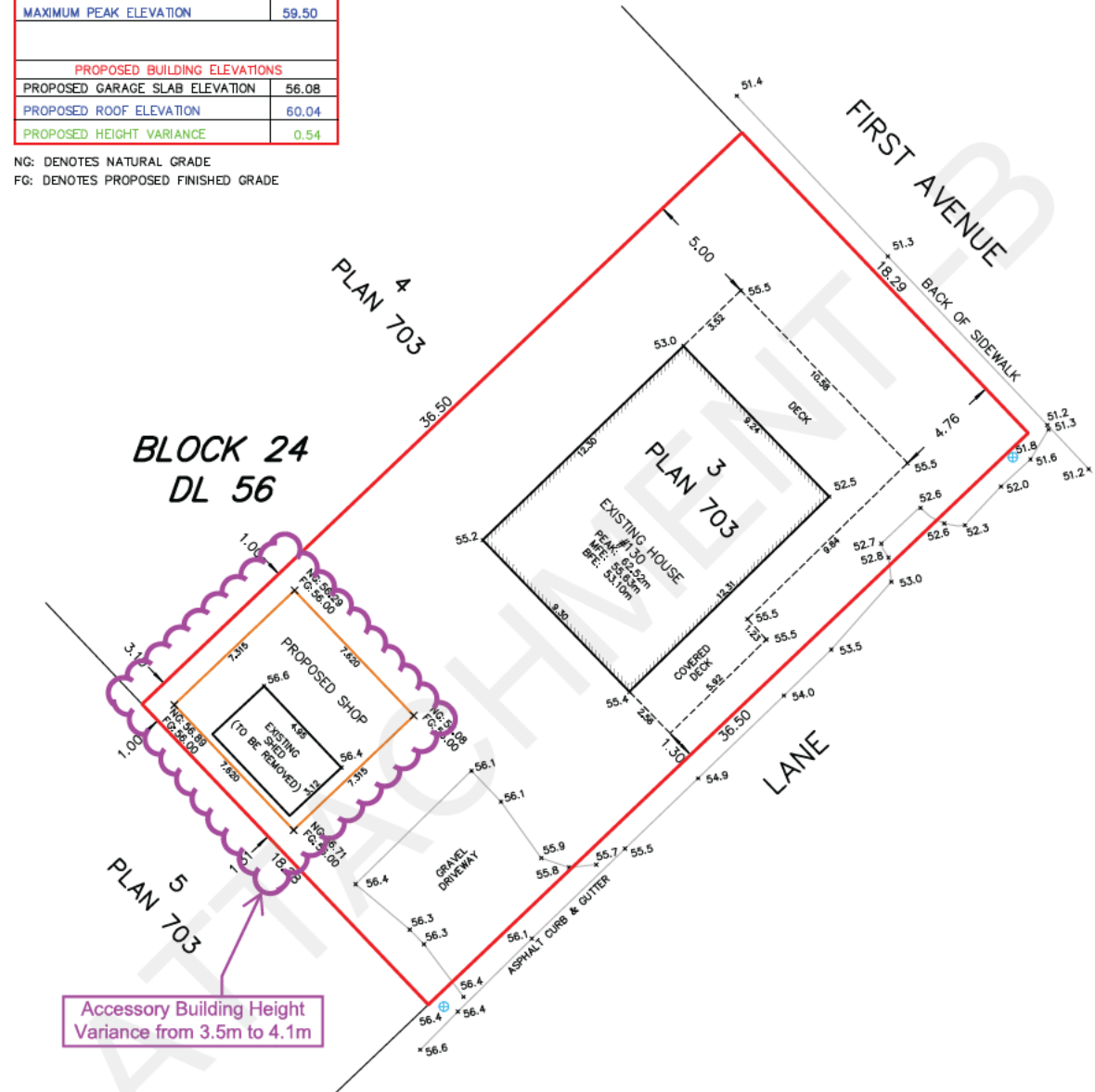
+54.0

DENOTES SPOT ELEVATION  
DENOTES UTILITY POLE

**SCHEDULE A - Survey Plan**  
DVP 3090-25-02  
130 1st Avenue



NG: DENOTES NATURAL GRADE  
FG: DENOTES PROPOSED FINISHED GRADE



SCALE 1:200

DISTANCES AND ELEVATIONS ARE IN METRES.

GEODETIC ELEVATIONS ARE DERIVED FROM  
CONTROL MONUMENT 87H3555 (CGVD28BC DATUM).

THIS PLAN LIES WITHIN THE COWICHAN VALLEY REGIONAL DISTRICT

NOTE:

THE REGISTERED TITLE OF THIS PROPERTY IS AFFECTED BY THE  
FOLLOWING LEGAL NOTATIONS AND REGISTERED CHARGES, LIENS  
AND INTERESTS:

M76300.

THIS SITE PLAN DOES NOT VERIFY COMPLIANCE WITH THE ABOVE  
NOTED DOCUMENTS.

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

THIS SITE PLAN SHALL NOT BE USED TO DEFINE PROPERTY LINES OR PROPERTY  
CORNERS.

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

**Turner & Associates**  
land surveying inc.

250.753.9778  
435 TERMINAL AVENUE NORTH  
NANAIMO, BC V9S 4J8  
www.turnersurveys.ca

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED  
ON THE 29th DAY OF JANUARY, 2025

Digitally signed by Brody Phillips  
7EK9BN  
Date: 2025.02.03 14:53:25 -08'00'

B.C.L.S. #994

(THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED.)



**SCHEDULE B - Building Elevations**  
DVP 3090-25-02  
130 1st Avenue  
3 Pages

**MUCHALAT PROJECTS**

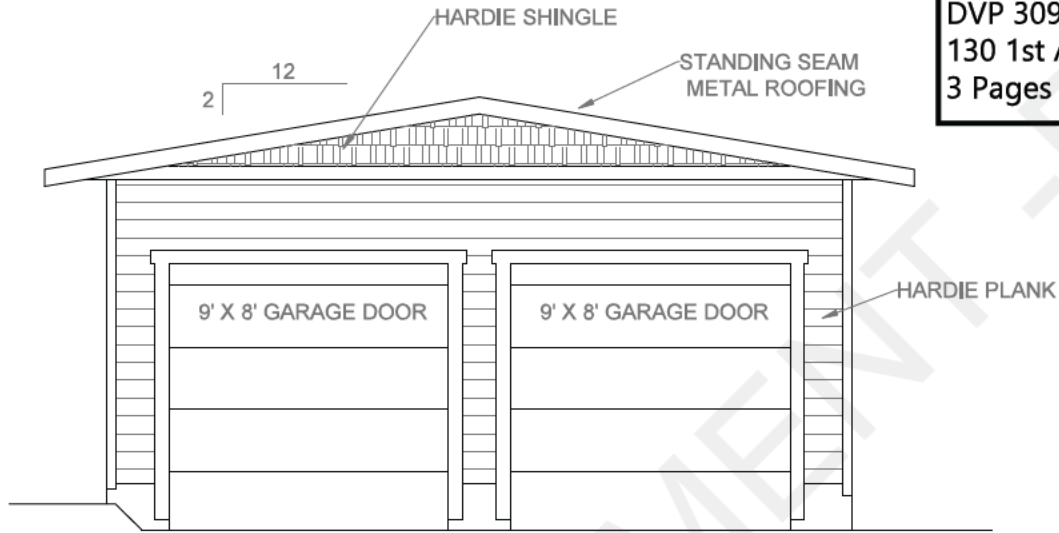
MUCHALAT PROJECTS  
3026 DOVE CREEK RD  
COURTENAY BC  
V9J 1P3  
MUCHALAT@ME.COM

DATE: 2025-02-08  
DRAWN BY: M  
CHECKED BY: J  
PROJECT: KRIS SHOP

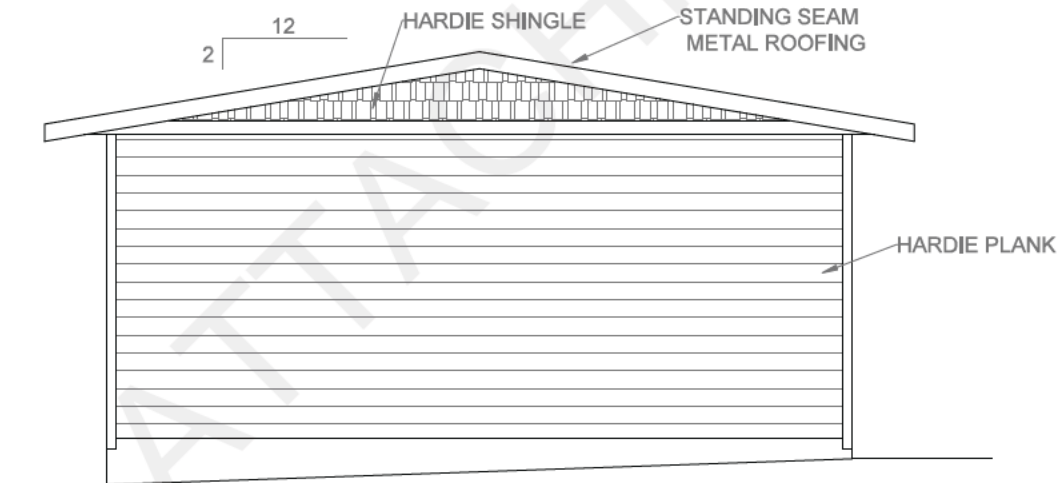
**KRIS SHOP**  
130 1ST AVE, LADYSMITH, BC V9G 1A1

**ELEVATIONS 2**

**A2.02**

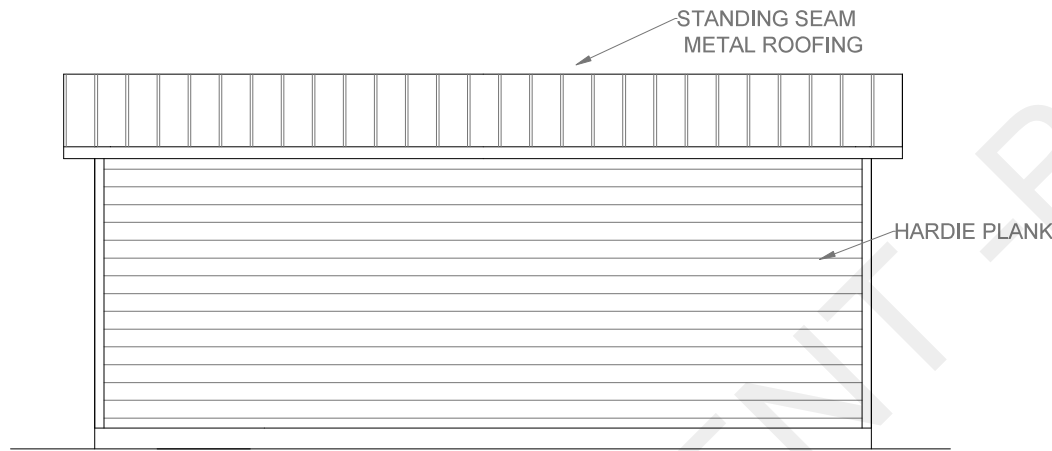


**FRONT ELEVATION**

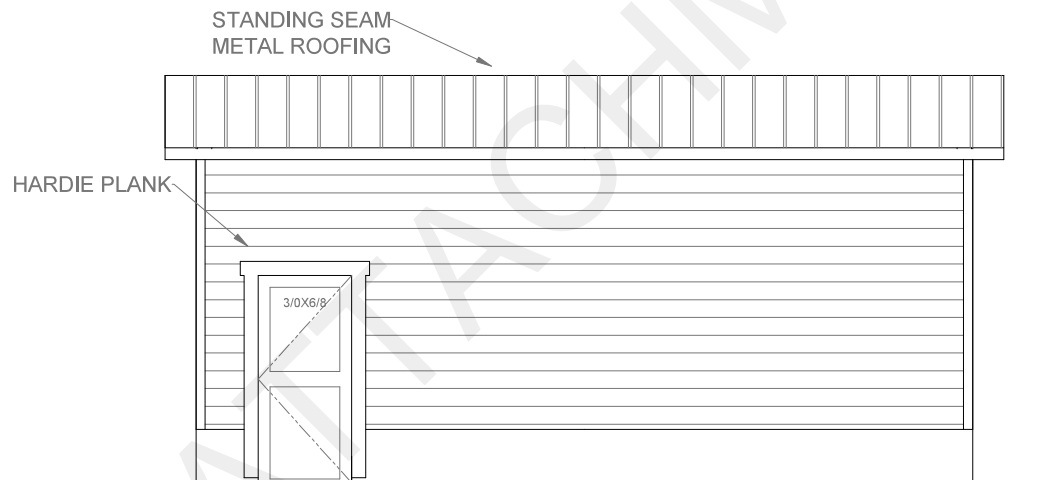


**REAR ELEVATION**

SCALE: 1/4" = 1'

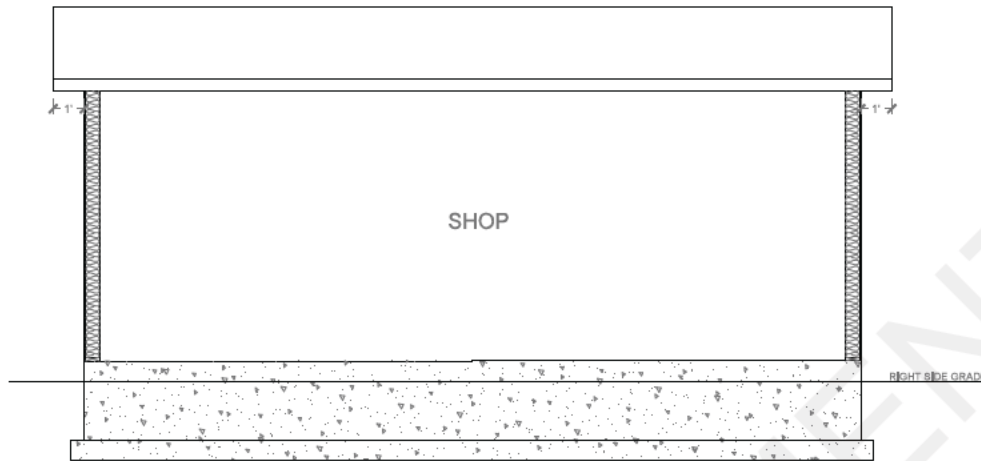


LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'



**SECTION A**

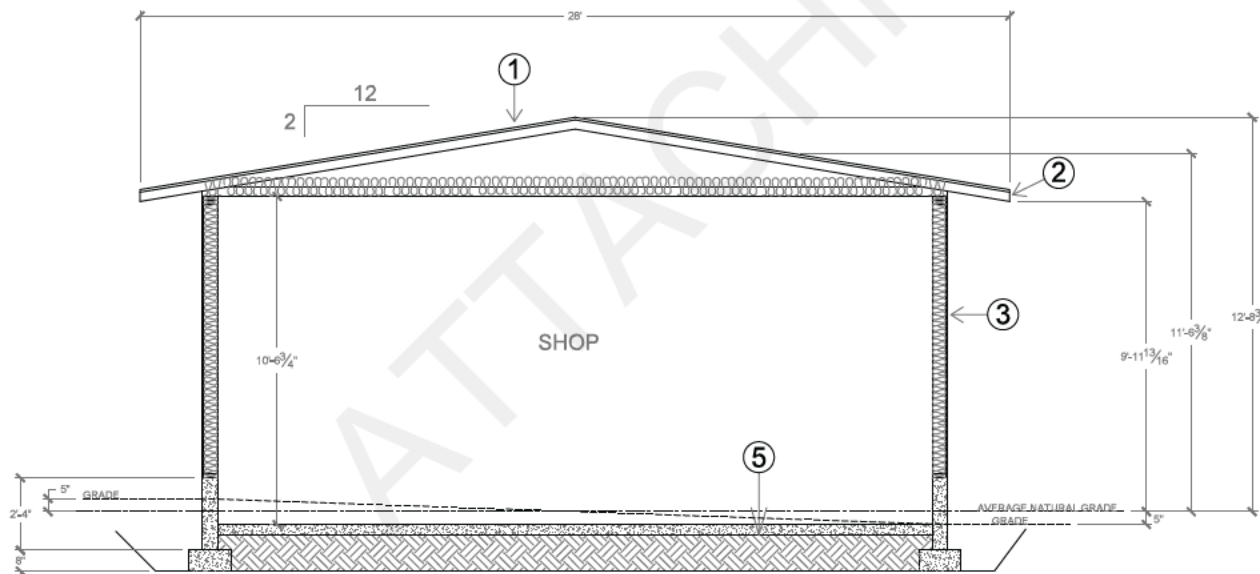
- ① ROOF:  
-STANDING SEAM METAL  
ROOFING  
-ROOFING MEMBRANE  
-3/4" PLYWOOD SHEATHING  
-ENGINEERED TRUSSES  
-R40 BATT INSULATION  
-6 MIL VAPOUR BARRIER  
-5/8" GYPSUM BOARD

- ② SOFFIT & FASCIA:  
-HARDIE FASCIA

- ③ EXTERIOR WALLS:  
-HARDIE PLANK SIDING/ HARDIE  
SHINGLES  
-1/2" RAINSCREEN STRAPS  
-BUGSCREEN ALL OPENINGS  
-FLASH ALL UNPROTECTED OPENINGS  
-AIR BARRIER  
-7/8" OSB SHEATHING  
-2X6 STUDS @ 24" O/C  
-R20 BATT INSULATION  
-6 MIL VAPOUR BARRIER POLY  
-1/2" GYPSUM WALL BOARD

- ④ FOUNDATION:  
- 6" FOUNDATION WALL

- ⑤ FLOOR:  
-4" CONCRETE SLAB  
-6 MIL VAPOUR  
BARRIER POLY  
-COMPACTED  
GRANULAR FILL



**SECTION B**

SCALE: 1/4" = 1'



## ATTACHMENT - C

Wednesday, February 5, 2025

**Township of Ladysmith  
Development Services  
410 Island Highway N  
Ladysmith BC, V9G 1B8**

**Attn: Andrew Wilson**

**Re: Building Permit Variance 130 1st Ave, Ladysmith BC**

**Dear Andrew,**

I am submitting this rationale letter with with my application to request a change in the height of the garage I'm planning to build in my backyard. Being a classic car enthusiast, as many are in the Cowichan Valley I'm building this space to work on my 1959 Chevy truck. The truck is quite low to the ground, so having a car lift will allow me to safely work under the vehicle. The height variance is to accommodate this car lift on one side of the garage.

**Thank you for your consideration**

**Kind regards,**

**Kris Jacobsen**

**STAFF REPORT TO COUNCIL**

**Report Prepared By:** Jake Belobaba, Director of Development Services  
**Reviewed By:** Allison McCarrick, CAO  
**Meeting Date:** April 1, 2025  
**File No:** 3900-16/3360-25-02  
**RE:** Short-term Rental Regulation

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**RECOMMENDATION:**

That Council:

1. Having considered section 475 of the *Local Government Act*, and in particular the matters set out in subsections (2)(a) and (b), resolve that:
  - a. the Stz'uminus First Nation, Agricultural Land Commission and School District 68 are the only entities that are appropriate to consult in connection with "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205";
  - b. consultation should be early but need not be ongoing;
  - c. the consultation process described in the staff report to Council dated April 1, 2025 is sufficient in respect to the proposed Official Community Plan amendment; and
  - d. staff be directed to refer "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205" to the Stz'uminus First Nation, Agricultural Land Commission and School District 68 as set out in the April 1, 2025 staff report to Council;
2. Give first and second readings to "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205";
3. Consider "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205" in conjunction with the Town's Financial Plan, the Town's Liquid Waste Management Plan, and the Cowichan Valley Regional District Solid Waste Management Plan, pursuant to section 477(3) of the *Local Government Act*;
4. Consider "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205" in conjunction with the Town's Housing Needs Report and the housing information on which the report is based, pursuant to section 473(2.1) of the *Local Government Act*;
5. Direct staff to schedule a public hearing and notice of the hearing for "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205"; and

6. Authorize staff to accept and process Temporary Use Permits for Short-Term Rentals prior to adoption of Bylaw 2025.

### **EXECUTIVE SUMMARY:**

This report presents a regulatory framework to execute Council's direction under Resolution CS 2024-180. Specifically, the report contains 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: <ul style="list-style-type: none"> <li>a) zoning amendments consistent with provincial SSMUH requirements to allow duplexes in restricted zones on all lots between 280-4050m2 in size;</li> <li>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;</li> <li>c) OCP amendments to align development permit requirements to be consistent with new SSMUH requirements;</li> <li>d) amendments to relevant bylaws to increase fines for illegal nightly rentals, and make existing STR rules clearer and aligned with provincial terminology;</li> <li>e) an Amenity Cost Charge Bylaw;</li> <li>f) amendments to the Town's DCC bylaw to allow for a DCC charge for a new Fire Hall and shared provincial highway projects;</li> <li>g) amendments to the applicable bylaws to delegate the approval of "minor" DVPs to staff; and</li> <li>h) amendments to the applicable bylaws to increase range of staff-issuable DPs, including DPs for residential developments of four units or less.</li> </ul>
CS 2024-180	2024-08-06	That Council: <ol style="list-style-type: none"> <li>1. Give first, second and third readings to "Short-Term Rental Bylaw, 2024, No. 2188";</li> <li>2. Pursuant to Section 59 of the <i>Community Charter</i>: <ol style="list-style-type: none"> <li>a. Receive written representations prior to adoption of Bylaw 2188; and</li> <li>b. Direct staff to publish notice, no more than 10 and no less than 3 days prior to final consideration of Bylaw 2188: <ol style="list-style-type: none"> <li>i. online; and</li> <li>ii. in one issue of the Ladysmith Chronicle; and</li> </ol> </li> </ol> </li> <li>3. Direct staff to bring forward amendments to "Official Community Plan Bylaw 2022, No. 2200" for Council consideration that:</li> </ol>

Resolution	Meeting Date	Resolution
		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 enhancing Short-Term Rental Regulations by adopting a business licensing 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-RR<sup>1</sup> 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. Council also adopted Bylaw 2188 on September 3, 2024, which requires a valid business license to *advertise* a tourist accommodation in Ladysmith.

Despite the above-noted changes a Short-Term Rental—i.e. renting an entire dwelling unit for nightly accommodation—has always required a business licence and has never been permitted 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").

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.

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<sup>1</sup> Nightly rental is only allowed in certain areas in the A-RR zone.



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 1<sup>st</sup>.

### STR's in Ladysmith

The Town received access to the STR Portal on July 2, 2024 and staff shared an initial summary of the STR market in Ladysmith 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 permits<sup>2</sup> all within the last 10 years. The Town has approximately 195 lawfully constructed suites and another 11 under construction, which suggests 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 several 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

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<sup>2</sup> Staff confirmed this by cross-referencing listings with utility data.

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.

- Even with low booking numbers, it appears 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 fluctuations in housing supply. 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:**

### **Bylaw 2205**

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 rate 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 or for a large waterfront home that would otherwise have a market rental rate that would be prohibitively high for most low and middle-income renters.

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 proposed STR's to the Town's tourism industry will outweigh the corresponding loss of housing stock. Bylaw No. 2205 is provided in Attachment A.

#### Early Acceptance of TUP Applications

With the May 1<sup>st</sup> deadline approaching and the earliest possible adoption date for Bylaw 2205 being April 15<sup>th</sup> staff are seeking authorization to accept and process TUP applications prior to adoption. Applicants will assume the risk of the bylaw not being adopted. However, refund provisions of the development procedures bylaw will apply. Section 12 of the Development Procedures Bylaw allows partial refunds ranging from 0-75% depending on the stage the TUP application reaches.

#### **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 1<sup>st</sup> and most bookings cancelled by June 1<sup>st</sup>. 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), which 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 for 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, the proposed OCP bylaw amendment includes guidance for such proposals 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:**

Council can choose to:

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:**

Under section 477(3) of the *Local Government Act*, Council must consider the proposed bylaw in conjunction with the Town’s Financial Plan, the Town’s Liquid Waste Management Plan, and the Cowichan Valley Regional District Solid Waste Management Plan. As the proposed amendment will not result in a significant increase in dwelling

units or capital costs, no financial impacts or impacts of a capital/infrastructural nature are expected.

Section 473(2.1) of the *Local Government Act* requires Council to consider the proposed bylaw in conjunction with the Town's Housing Needs Report and the housing information on which the report is based. Council received its latest Housing Needs Report on December 17, 2024 and the OCP's projected housing need was increased based on the Housing Needs Report. Staff note that the regulations under the proposed bylaw are likely to increase the supply of rental housing. However, should Council wish to pursue a course of action that may cause more housing units to be converted to STR's, it is recommended that a further review of housing impacts occur to ensure compliance with Section 473(2.1) of the *Local Government Act*.

#### **CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

A public hearing is required prior to adopting Bylaw 2205 under section 464 of the *Local Government Act*. Public notice for the public hearing is also required. Staff note that the Province's new rules for STR's, specifically the announcement in January of the upcoming registration deadlines, has been well-publicized in local and provincial media outlets. Therefore, STR operators are expected to be aware of the forthcoming provincial registration deadlines.

#### **INTERGOVERNMENTAL REFERRALS:**

Section 475 of the *Local Government Act* requires Council, when considering an amendment to the OCP, to provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected. To meet this obligation, Council must specifically consider whether consultation should be "early and ongoing", and specifically consider whether consultation is required with:

1. The Board of the Cowichan Valley Regional District.
2. The Board of the Regional District of Nanaimo.
3. The Council of the District of North Cowichan.
4. First Nations, including the Stz'uminus First Nation, Hul'qumi'num Treaty Group and the Snuneymuxw First Nation.
5. The Board of School District 68.
6. The Provincial and Federal Governments and their agencies.

The Naut'sa Mawt Community Accord and Memorandum of Understanding between the Town and Stz'uminus First Nation require the Town to refer all OCP amendments to the Stz'uminus First Nation for comment. Similarly, section 476 of the *Local Government Act* requires the Town to refer the proposed OCP amendment to School District 68 for comments related to the impact on school facilities.

Section 475(4) of the *Local Government Act* requires the Town to consult with the Agricultural Land Commission (ALC) if an OCP amendment may affect agricultural land. Although ALR lands in Ladysmith are unpopulated, agritourism is a growing industry in BC, the ALC has a number of policies pertaining to agritourism use in the ALR and it is

conceivable that a TUP application might be received for ALR lands. For these reasons staff also recommend referring the proposed bylaw to the ALC.

As the changes under Bylaw 2205 align with the CVRD Workforce Housing Strategy, are not expected to have significant impact on other jurisdictions or school facilities and not expected to affect the interests of First Nations, staff recommend only the mandatory consultation with the Stz'uminus First Nation, ALC and the School Board.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

TUP applications will be circulated amongst the Fire, Engineering, Bylaw and Building departments when they are received. The Building Department has been closely involved throughout the preparation of the proposed TUP program in anticipation of the need to bring some dwelling units into compliance with the Building Bylaw and BC Building Code.

**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 recommendations.***

**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"**

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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 (D. Beeston)

\_\_\_\_\_  
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

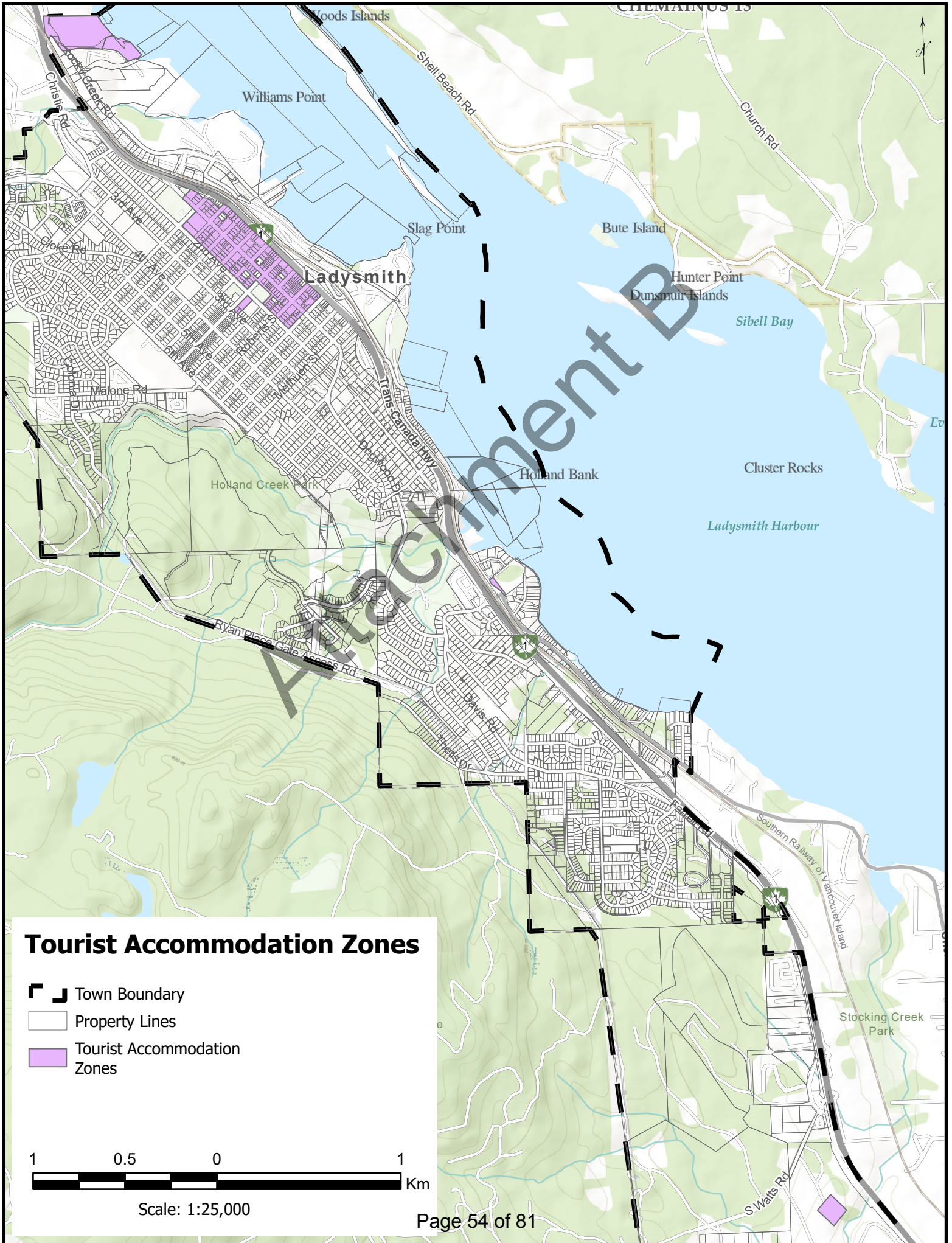
1. The number of TUP's issued by Council should be based on the average of CMHC's Rental Market Survey for Ladysmith for the preceding two calendar years, as shown in the table below:

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		
<b>Bachelor</b>	11	11		
<b>1 Bedroom</b>	106	105		
<b>2 Bedroom</b>	96	97		
<b>3 Bedroom +</b>	1	1		
<b>Total</b>	214	214		

Private Apartment Vacancy Rates (%)

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

Private Apartment Average Rents (\$)

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

Private Apartment Availability Rates (%)

	Oct-23	Oct-24		
<b>Bachelor</b>	**	**		
<b>1 Bedroom</b>	**	**		
<b>2 Bedroom</b>	**	**		
<b>3 Bedroom +</b>	**	**		
<b>Total</b>	**	**		

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

	Oct-23	Oct-24		
<b>Bachelor</b>	**	**		
<b>1 Bedroom</b>	**	**		
<b>2 Bedroom</b>	**	**		
<b>3 Bedroom +</b>	**	**		
<b>Total</b>	**	**		

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](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.

## TOWN OF LADYSMITH

### BYLAW NO. 2207

#### A Bylaw to amend "Dog Licencing, Control and Pound Bylaw 1995, No. 1155"

The Council of the Town of Ladysmith in open meeting assembled amends "Dog Licencing, Control and Pound Bylaw 1995, No. 1155" as follows:

1. Replace Section 14 in its entirety with the following:

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 1<sup>st</sup> 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*".

**Citation**

2. This Bylaw may be cited for all purposes as "Dog Licencing, Control and Pound Bylaw 1995, No. 1155, Amendment Bylaw 2025, No. 2207".

**READ A FIRST TIME** on the \_\_\_\_\_ day of \_\_\_\_\_, 2025  
**READ A SECOND TIME** on the \_\_\_\_\_ day of \_\_\_\_\_, 2025  
**READ A THIRD TIME** on the \_\_\_\_\_ day of \_\_\_\_\_, 2025  
**ADOPTED** on the \_\_\_\_\_ day of \_\_\_\_\_, 2025

\_\_\_\_\_  
Mayor (D. Beeston)

\_\_\_\_\_  
Corporate Officer (S. Bouma)

## BYLAW STATUS SHEET

April 1, 2025

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 received January 15, 2024. <b>Awaiting covenant.</b>
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. <b>Waiting on applicant to submit Development Permit per Council Resolution.</b>
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. <b>Awaiting covenant.</b>
2173	"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, No. 2173".	First and second readings, December 17, 2024. Public Hearing and third reading January 21, 2025. <b>Awaiting MOTI approval.</b>





March 20, 2025

AVICC Member Legislative Services  
AVICC Member Councils, Boards, and CAOs

**RE: FEEDBACK REQUESTED: Reforming the Local Government Act - A Roadmap**

I am reaching out to formally request that this communication be included as a Board or Council Communication on your upcoming agenda.

Feedback is requested on the initiative to modernize the *Local Government Act (LGA)*. It has been identified that the input from member staff and elected officials is crucial, and we are asking that this opportunity be shared throughout your organization, and that time be allocated to allow for participation.

Don Lidstone K.C. has written a document, "[Regional District Legislation Roadmap](#)", as a framework to gather feedback from all five area associations on the challenges local governments are experiencing with the *LGA*. The *Roadmap* document has been transposed into a survey that is now available at the following link:

**[Reforming the Local Government Act: A Roadmap – SURVEY LINK](#)**

- The survey may be completed by individuals or as a group – we would like to hear from local government and First Nations elected officials and staff with comments about the legislation and recommendations, examples of how the current legislation impacts the work that you do, and potential solutions or additional recommendations.
- The *Roadmap* document has been divided into 9 survey pages in SurveyMonkey, consisting of an executive summary with recommendations, followed by examinations of Parts 5-12 of the *LGA*.
- Each of the 9 survey pages is followed by questions that you are invited to respond to as you wish. There is no requirement to answer all the questions – any degree of input is beneficial.
- Survey responses will be anonymously compiled to produce a report for UBCM and the Province that defines issues and specific preferences for modernizing the current legislation.
- There is an option in each section to input your contact information if you are willing to provide more information about your comments, or if you would like a response - this is not required.
- Your responses will be saved after each page, so that you can pause and return to the survey at your convenience – you must use the same device and web browser to access your saved survey.

- You may edit your responses, or add additional comments up until May 31, 2025 at 11:59pm – you must use the same device and web browser to access your previously submitted survey.

**Any survey responses received by March 28 will be included in content provided to the area associations' annual conventions. The final deadline to submit responses to any of the survey pages is 11:59 pm on Saturday, May 31.**

Thank you for considering our request. If you have any questions, please reach out to AVICC Executive Director, Theresa Dennison, at [info@avicc.ca](mailto:info@avicc.ca).

Sincerely,



Ben Geselbracht  
AVICC President  
Councillor, City of Nanaimo

cc: Theresa Dennison, Executive Director, AVICC; [info@avicc.ca](mailto:info@avicc.ca)





March 26<sup>th</sup>, 2025

Dear Town of Ladysmith,

**You're a beacon of hope for young futures!**

Your generous gift is more than support—it's an investment in the lives of youth who need it most. Thank you for believing in the potential of the young people at Take a Hike.

Because of you, vulnerable youth can access essential mental health resources, engage in land-based learning, and receive personalized learning support in an environment that works for them. These opportunities help young people build self-confidence and create healthier, brighter futures.

Your contribution shows a deep commitment to the promise of these youth, empowering them to thrive and positively impact their communities for years to come. Thank you for making a lasting difference in the lives of youth like Jordan:

Thank you for caring about our youth and the future adults participating in Take a Hike. Donating helps us go on amazing adventures as a community. We really appreciate all you give.

- Jordan, Take a Hike youth



With immense gratitude,

**Jaydeen Williams** | Manager of Philanthropy  
Cell: 236-558-0268 | [jwilliams@takeahikefoundation.org](mailto:jwilliams@takeahikefoundation.org)

**BOARD OF DIRECTORS**

**ANNE MARTIN**  
CHAIR

*VP, Network Engineering & Operations  
TELUS*

**CLAYTON BUCKINGHAM**  
SECRETARY/TREASURER

*Vice President, Integrated Commercial  
Services & Chief Financial Officer  
Fraser Health*

**WENDY BACH**  
DIRECTOR

*President  
Wendy Bach Corporation*

**DAVE BYNG**  
DIRECTOR

*Strategic Advisor  
Dave Byng Advisory Services*

**BRENT CAMERON**  
DIRECTOR

*Managing Partner, Boyden*

**AIMEE CHEUNG**  
DIRECTOR

*Senior VP, Financial Planning & Analysis  
QuadReal Property Group*

**DREW COLLIER**  
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*President & CEO  
LGM Financial Service*

**ANNE DONOHOE**  
DIRECTOR

*VP & Chief Marketing Officer,  
BC Cancer Foundation*

**NICOLE GEYER**  
DIRECTOR

*Community Leader / Marketing Advisor*

**MICHELLE LINEKIN**  
DIRECTOR

*Family Physician  
The Foundry*

**DIANNE TURNER**  
DIRECTOR

*Retired Superintendent*

**PHIL COTTERILL**  
ADVISOR TO THE ORGANIZATION

*Director, Head of Client Solutions Team,  
Connor, Clark & Lunn Investment*

**JOHN MONTALBANO**  
ADVISOR TO THE ORGANIZATION

*Principal, Tower Beach Capital*

**COWICHAN EMERGENCY MANAGEMENT LOCAL AUTHORITY AGREEMENT**

THIS AGREEMENT dated and in effect this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

**BETWEEN:**

COWICHAN VALLEY REGIONAL DISTRICT  
175 Ingram Street  
Duncan, BC V9L 1N8

AND: THE CITY OF DUNCAN  
PO Box 820  
200 Craig Street  
Duncan BC V9L 3Y2

AND: THE TOWN OF LADYSMITH  
PO Box 220  
410 Esplanade  
Ladysmith BC V9L 1A2

AND: THE TOWN OF LAKE COWICHAN  
PO Box 860  
39 South Shore Road  
Lake Cowichan BC V9L 2G0

AND: THE DISTRICT OF NORTH COWICHAN  
PO Box 278  
7030 Trans Canada Highway  
Duncan BC V9L 3X4

(hereinafter called "the Parties")

**NOW THIS AGREEMENT WITNESSETH:**

**WHEREAS**, it is desirable that full, cooperative, and collective leadership from all of the local authorities in the Cowichan area is essential to support an effective regional emergency program to prepare, plan, prevent, respond to and recover from the effects of emergencies and disasters;

**AND WHEREAS**, "*CVRD Bylaw No. 1909 – Emergency Programs (Emergency Program Act) Extended Service Bylaw, 1999*", enacted under the *Local Government Act*, RSBC 2015 c. 1 grants to the Cowichan Valley Regional District the additional power to provide emergency programs as an extended service under the *Emergency Program Act*. RSBC 1996 c. 111 (the "Emergency Program Act");

**AND WHEREAS** the Emergency Program Act has been repealed and replaced with the *Emergency and Disaster Management Act*, SBC 2023, c. 37 (the "Emergency and Disaster Management Act");

**AND WHEREAS**, Pursuant to section 263(1)(b), of the *Local Government Act*, RSBC 2015 c. 1 a local authority may enter into a Mutual Aid Agreement with one or more local authorities for emergency resources of all types and subsequent cost recovery;

**AND WHEREAS**, a regional emergency management program has been enacted to coordinate emergency management in accordance with the local authority requirements of the *Emergency*

## COWICHAN EMERGENCY MANAGEMENT LOCAL AUTHORITY AGREEMENT

and *Disaster Management Act*, for all of the Municipalities and Electoral Areas within the Regional District; and

**NOW THEREFORE** in consideration of the agreements and covenants set out herein, it is hereby agreed by each of the Parties hereto as follows:

### 1. Interpretation

(a) In this Agreement:

**Advisory Committee** means the advisory committee for CVRD's Regional Emergency Management Organization comprising the group of persons as set out in Schedule A, who will advise the Regional Emergency Management Organization regarding the development and maintenance of the Regional Emergency Management Program;

**Board** means the Board of the Cowichan Valley Regional District;

**Command Staff** means the specific positions of REOC Director, Liaison Officer, Information Officer, Safety Officer, and Risk Management Officer as described under the Incident Command System of Canada;

**CVRD** means the Cowichan Valley Regional District;

**Emergency** means a state that

(a) is the result of any of the following:

(i) an event that

(A) has occurred, is ongoing or appears imminent, and

(B) is caused by one or more incidents, whether or not those incidents occur in the same location or at the same time, of accident, fire, explosion, technical failure, rioting, security threat, terrorist activity within the meaning of section 83.01 of the *Criminal Code*, force of nature or a prescribed type of incident;

(ii) the presence, suspected presence or imminent spread of a transmissible disease or an environmental toxin;

(iii) a type of event prescribed by regulation under the *Emergency and Disaster Management Act*, or the presence or suspected presence of circumstances that are prescribed by regulation under the *Emergency and Disaster Management Act*, and

(b) requires the prompt coordination of action, or the special regulation of persons or property, to protect

(i) the health, safety or well-being of persons, or

(ii) the safety of property or of objects or sites of heritage value

**Emergency and Disaster Management Act** has the meaning specified in the recitals to this Agreement;

**Emergency Plan** means a document, other than a Regional Emergency Plan, that describes the actions that will be taken when an Emergency occurs, including how people, property, and the environment will be protected in an Emergency;

**Emergency Support Services (ESS)** means temporary basic need support provided to evacuees from Emergencies. This may include clothing, food, lodging, incidentals, and emotional/cultural support;

**General Staff** means the specific positions of Logistics Chief, Planning Chief, Operations Chief and Finance Chief as described under the Incident Command System of Canada;

**Incremental Cost** means additional costs beyond normal local authority operations (such as overtime wages), that are directly attributed to an event and would not be incurred in the normal course of business;

**Local Authority** has the same meaning as in the *Emergency and Disaster Management Act*.

**Providing Party** means a party providing assistance under this Agreement;

**Emergency Management Cowichan** means a division of the CVRD staffed by CVRD staff and administered through the CVRD Emergency Program Service as established originally under *CVRD Bylaw No. 1909*, charged with developing, implementing, maintaining, and improving the Regional Emergency Management Program;

**Regional Emergency Plan** means a document that describes the actions that will be taken when an Emergency occurs in any Cowichan local authority, including how people, property, and the environment will be protected in an Emergency or Disaster;

**Regional Emergency Management Program** means the regional Emergency program that coordinates Emergency planning and facilitates the implementation of activities during each phase of the Emergency management process for all of the Municipalities and Electoral Areas within the CVRD during an Emergency involving some or all of the Municipalities and Electoral Areas within the CVRD;

**Regional Emergency Operations** means the operations necessary to respond to and begin recovery from an Emergency; including but not limited to REOC and ESS services.

**Regional Emergency Operations Centre (REOC)** means a team that coordinates and supports the response and initial recovery to Emergencies by combining Emergency response resources allowing for unified decision making, coordinating public messaging, and prioritizing scarce resources between local authorities within the Cowichan region;

**Resources** means persons, equipment, supplies, facilities, and other property;

**Response Support Location** means any facility, room, or space identified for the purposes of the REOC, including but not limited to REOC meetings, reception centres, group lodging areas, reunification centres, disaster supply centres, and recovery centres;

**Technical Advisory Group** describes the group of staff set out in Schedule A and appointed by the Members of the Advisory Committee to provide technical emergency management advice to their respective CAOs; and,

**1. For the purposes of this Agreement, except as otherwise expressly provided or as the context otherwise requires:**

- (a) the word "including", when following any general term or statement, is not to be construed as limiting the general term or statement to the specific terms or matters set forth or to similar items or matters, but rather as permitting the general term or statement to refer to all other items or matters that could reasonably fall within the broadest possible scope of the general term or statement;
- (b) words in the singular include the plural and words importing a corporate entity include individuals, and vice-versa;
- (c) reference in this Agreement to an enactment is a reference to an enactment as defined in the *Interpretation Act*, R.S.B.C. 1996, c. 238, and includes a reference to an enactment of any Party;
- (d) reference in this Agreement to an enactment is a reference to that enactment as amended, revised, consolidated or replaced; and,
- (e) headings used herein and the division of this Agreement into Articles, sections subsections and Schedules, are for convenience of reference only and shall not affect the construction or interpretation of this Agreement.

**2. Regional Emergency Management Organization**

- (a) The Parties agree that the CVRD will establish and maintain an extended service to deliver the Regional Emergency Management Program through Emergency Management Cowichan, a division of the CVRD.
- (b) The Parties agree to identify Emergency Management Cowichan for the purposes of acting as the Emergency Management Organization as defined under s.19 and 20 of the *Emergency and Disaster Management Act*, 2023.

**3. Advisory Committee**

- (a) The Advisory Committee will provide strategic advice and, where appropriate, guidance on developing, establishing, and maintaining Emergency Management Cowichan. The terms of reference of the Advisory Committee are set out in Schedule "A" – "Terms of Reference". The authorities and roles of the Advisory Committee may occasionally change with the Parties' agreement.
- (b) The Advisory Committee will be supported by the Technical Advisory Group, comprised of one representative from each of the Municipal Parties to this Agreement and appointed by their CAO. Emergency Management Cowichan will serve as the

representative for the CVRD and provide Chair and Secretariat functions for the Technical Advisory Group.

#### 4. Planning & Preparedness

- (a) The Parties agree that Emergency Management Cowichan will lead the development and implementation of an emergency management strategy for the Cowichan region's local authorities, which includes public awareness, public education, local authority Emergency operations coordination training and exercises, and planning.
- (b) Emergency Management Cowichan will provide regional coordination of the FireSmart program at the parties' discretion.
- (c) To support planning and preparedness activities, the Parties agree to:
  - i. Provide an accurate contact list of staff from their jurisdiction for Regional Emergency Operations, which includes, at minimum, personnel identified for REOC Command Staff positions, REOC General Staff positions, and Emergency Support Services.
  - ii. Review their Regional Emergency Operations staff contact list every quarter for accuracy and updates;
  - iii. Share all community Emergency response plans with Emergency Management Cowichan; and,
  - iv. Provide access for Emergency Management Cowichan staff to any Municipal or CVRD facility designated as a Response Support Location for the purposes of maintenance, testing, and inventory.
- (d) Notwithstanding subsections 4 (a) and (b), the Parties agree that Emergency Management Cowichan is not responsible for:
  - i. Continuity of operations planning and/or business continuity planning for any jurisdiction's operations;
  - ii. Structural mitigation programs; or,
  - iii. Financial claims as described under Section 7.3.

#### 5. Emergency Response

- (a) The Parties agree that all Emergencies within the jurisdictional boundary of the CVRD, will be treated as regional in scope. The Parties agree that resources for an Emergency response will first be drawn from the impacted jurisdiction(s). If the impacted jurisdiction(s) resources are insufficient to respond to the Emergency, the non-impacted parties agree to contribute available resources to the Emergency as required by the REOC.
- (b) The Parties agree to adhere to the Regional Emergency Plan. Where deviation is required, the Parties will communicate changes with as much notice as possible.



## COWICHAN EMERGENCY MANAGEMENT LOCAL AUTHORITY AGREEMENT

- (c) The Parties agree to assist other Party(ies) in the case of an Emergency per this Agreement.
- (d) Each Party to this Agreement shall provide for the effective mobilization and utilization of its resources to respond to Emergencies per the provisions of Schedule B, "REOC Operational Procedures," which is attached to and forms part of this Agreement.
- (e) Each of the Parties to this Agreement is committed to ensuring that the use of personnel, equipment, supplies, and other Emergency response resources and capabilities maximizes the efficiency of coordinated planning and response to and recovery from major Emergencies within the jurisdictional boundaries of the CVRD.
- (f) All Parties understand and agree that when a REOC is activated, their resources may be deployed outside their jurisdiction but within the jurisdictional boundaries of the CVRD.
- (g) The Parties acknowledge that this Agreement is not intended to replace or supplant any Mutual Aid Agreements in force between any of the Parties nor to prevent any Party from negotiating a new Mutual Aid Agreement or from renewing or amending an existing Mutual Aid Agreement.
- (h) Assistance extended under this Agreement may be provided in accordance with current governing legislation, the *Emergency and Disaster Management Act, 2023* and the *British Columbia Emergency Management System (BCEMS)*.

### 6. Term

- (a) This Agreement may be in effect for a term commencing on  
January 22, 2025, and expiring on December 31, 2025, unless otherwise terminated as provided for herein.
- (b) This Agreement may be extended for one (1) year with the concurrence of all parties.

### 7. Response and Recovery Costs

- (a) Claims for compensation by owners of real or personal property for damage or injury suffered in a Disaster will be processed individually through the Compensation and Disaster Financial Assistance Regulation 124/95, as amended or replaced from time to time;
- (b) Claims for compensation for response under Schedule 5 section 1 (d) of the Compensation and Disaster Financial Assistance Regulation, 124/95, as amended or replaced from time to time be processed by Emergency Management Cowichan with the assistance and support of finance staff of the Parties as described under Schedule C "Response Compensation and Payment Provisions".
- (c) Claims for compensation for recovery under Schedule 5 section 1 (a) – (c) and (e) – (i) of the Compensation and Disaster Financial Assistance Regulation 124/95, as

amended or replaced from time to time, will be processed by each impacted Party for their respective jurisdiction's damages.

## **8. Independent Jurisdiction**

- (a) Any and all agents, servants or employees of each of the Parties, or other persons, while engaged in the performance of any work or services required to be performed by the Parties under this Agreement shall not be considered employees of any other Party, and a Party shall not be responsible for any act or omission of any person other than one of its own agents, servants, or employees, except as provided in this Agreement, nor shall a Party be required to provide any insurance, whether WorkSafeBC coverage or otherwise, for the agents, servants, or employees of another Party.
- (b) During normal operations, each Party to this Agreement will retain decision-making authority within its own jurisdiction. All Parties will ensure that non-emergent decisions involving multiple jurisdictions are made in consultation with all the authorities involved.
- (c) On the advice of the REOC, and if satisfied that an Emergency exists within their jurisdiction, each Party to this Agreement is responsible for ensuring the declaration, either individually or jointly, of a "State of Local Emergency" as per the *Emergency and Disaster Management Act* RSBC 2023, should this be deemed necessary. The other Parties are to be notified as soon as possible, should this occur.

## **9. Indemnity**

Where a Providing Party supplies resources to any Party pursuant to this Agreement, the Party receiving or benefiting from the resource shall indemnify and save harmless the Providing Party from any and all claims, causes of actions, suits and demands whatsoever arising out of the assistance rendered by the Providing Party, its servants, employees or agents, or arising out of the failure to respond to a request for assistance pursuant to this Agreement, the failure to render adequate assistance, or for any other reason. For certainty, response compensation shall be in accordance with Schedule "C" to this Agreement.

## **10. Insurance**

Each party to this Agreement agrees to maintain insurance and liability coverage, subject to the terms and conditions of its own insurance policy provided by its own insurer on any and all chattels and equipment owned by the party and utilized pursuant to provisions of this Agreement.

## **11. Waivers**

The failure at any time of any Party to enforce any provision of this Agreement or to require at any time performance by any other Party of any provision of this Agreement shall not constitute or be construed to constitute a waiver of such provision, nor in any way affect the validity of this



Agreement, or the right of any Party thereafter to enforce each and every provision of this Agreement.

## **12. Modification**

No waiver, modification, or amendment to this Agreement shall be binding unless it is in writing and signed by the duly authorized representatives of each of the Parties to this Agreement.

## **13. Termination**

Notwithstanding any other provision of this Agreement:

- (a) If any Party fails to comply with any provision of this Agreement, then, in addition to any other remedy or remedies available to the other Parties, any of those other Parties may, at its option, terminate this Agreement by giving written notice of termination to each of the other Parties; and,
- (b) Any party may terminate this Agreement at any time upon giving each of the other Parties thirty (30) days' written notice of such termination.

At the end of the Term, or should either option in this section 13 be exercised by any party ("the Terminating Party"), the Parties, or in the case of termination, the Parties will be under no further obligation to any of the other Parties SAVE AND EXCEPT to pay each of the other Parties such amount as each of the said Parties is entitled to receive for services properly performed and provided to the date written notice is given to the said Parties, less any amounts necessary to compensate other Parties, for damages or costs incurred arising from another party's failure to comply with any provision of this Agreement.

## **14. Communication**

- (a) During a response which requires activation of the REOC:
  - i. The Parties agree to delegate authority to provide information or communication regarding an Emergency to a single Information Officer function for Regional Emergency Operations. The Parties will appoint staff as Information Officers to fill this role for Regional Emergency Operations.
  - ii. The REOC will regularly inform the Chair, Mayors, Council, and/or Board members and consult them regarding policy-related issues as required.
- (b) Emergency Management Cowichan, supported by the CVRD Communications Division, will establish quarterly updates for Communications staff of the Parties with the intent that public communications related to the activities and measures of the Regional Emergency Program are communicated across the Cowichan region.

## **15. Dispute Resolution**

**COWICHAN EMERGENCY MANAGEMENT LOCAL AUTHORITY AGREEMENT**

Any and all claims arising out of the implementation of this Agreement will not be brought forward for resolution until the response phase of an Emergency is over.

All Parties to the Agreement will work together and cooperate to mutually resolve any issue arising out of implementation of this Agreement. An external arbitrator may be brought in to assist in resolution of any outstanding issues, if required. The appointment of an arbitrator is to be mutually agreed upon and all costs of arbitration are to be shared equally by those Parties who participate in the arbitration.

**IN WITNESS WHEREOF** the Parties have hereunto set their hands and seals as of the day and year first above written.

The Corporate Seal of the  
COWICHAN VALLEY REGIONAL DISTRICT  
as hereto affixed in the presence of:

\_\_\_\_\_)  
Chairperson\_\_\_\_\_)  
\_\_\_\_\_)  
Secretary\_\_\_\_\_)  
\_\_\_\_\_)

The Corporate Seal of the  
CITY OF DUNCAN  
as hereto affixed in the presence of:

\_\_\_\_\_)  
Mayor\_\_\_\_\_)  
\_\_\_\_\_)  
P. MacLennan\_\_\_\_\_)  
Director of Corporate Services\_\_\_\_\_)  
\_\_\_\_\_)

**COWICHAN EMERGENCY MANAGEMENT LOCAL AUTHORITY AGREEMENT**

The Corporate Seal of the  
TOWN OF LADYSMITH  
as hereto affixed in the presence of:

_____	)
Mayor	)
_____	)
Manager of Corporate Services	)

The Corporate Seal of the  
TOWN OF LAKE COWICHAN  
as hereto affixed in the presence of:

_____	)
Mayor	)
_____	)
Chief Administrative Officer	)

The Corporate Seal of the  
DISTRICT OF NORTH COWICHAN  
as hereto affixed in the presence of:

_____	)
Mayor	)
_____	)
Corporate Officer	)

**SCHEDULE “A”  
COWICHAN EMERGENCY MANAGEMENT ADVISORY COMMITTEE  
TERMS OF REFERENCE**

**MEMBERSHIP**

1. The Advisory Committee will include:
  - (a) One CAO representative or their designate for each Local Authority in the Cowichan Valley Regional District so long as the designate is delegated the authority of the CAO for the purpose of this Committee;
  - (b) Such other representatives as the CVRD CAO recommends to the Board and the Board approves from time to time; and,
  - (c) The Chair of the Committee will be the CVRD CAO or designate.

**ADMINISTRATION**

2. The Advisory Committee may meet virtually or in person, and such meetings will occur at least quarterly.
3. The Emergency Management Cowichan Senior Manager of Emergency Management and, as required, other CVRD or Emergency Management Cowichan will attend to facilitate and support meetings, report on progress, and provide information as requested.
4. The Technical Advisory Group will provide technical support to committee members:
  - (a) The Technical Advisory Group will consist of one standing member and one alternate from each Party, appointed by their respective CAO.
  - (b) Emergency Management Cowichan will serve as Chair and provide Secretariat support to the Technical Advisory Group.
  - (c) The Technical Advisory Group will meet at least quarterly, in advance of the Advisory Committee's scheduled meetings, to discuss technical elements of the Regional Emergency Management Program.
  - (d) Technical Advisory Group members will be accountable for providing technical advice to their Advisory Committee members before Advisory Committee meetings.
  - (e) Members of the Technical Advisory Group may, from time to time, invite other staff from their respective Party if it is adjudged that the subject matter expertise of that staff is relevant to the technical issue being discussed
  - (f) The Chair of the Technical Advisory Group may occasionally invite an external subject matter expert to contribute to meetings of the Technical Advisory Group.

**VOTING**

5. The Advisory Committee's decisions will be made by consensus where possible. In the absence of consensus, the Committee shall vote, with the Chair having the tie-breaking vote, if required. The Committee will not defer voting once a decision point has been reached.

**GENERAL AREAS OF ADVISORY RESPONSIBILITY**

6. The CAO Advisory Committee will provide advice to the Regional Emergency Management Organization on the following issues:
  - (a) Emergency management priorities;
  - (b) Training and exercise plans;
  - (c) Operational and administrative policies of Emergency Management Cowichan;
  - (d) Policies to support activation, which must be enacted across all jurisdictions;
  - (e) First Nations engagement;
  - (f) Strategic direction on program areas (Emergency Support Services, preparedness programs, mitigation initiatives/programs, response programs, and recovery initiatives, alignment with forthcoming regulations of the *Emergency and Disaster Management Act* RSBC 2023);
  - (g) Mutual aid agreements;
  - (h) Grant applications;
  - (i) Emergency Management Cowichan financial priorities and long-term financial planning, including annual budget recommendations; and,
  - (j) Strategies and priorities for assets, storage, fleet and Response Support Locations.

**GENERAL AREAS OUT OF SCOPE**

7. The following decisions remain the mandate of the Regional CAO or the Board:
  - (a) Hiring, performance reviews, promotions, and terminations of the staff of Emergency Management Cowichan;
  - (b) Day-to-day human resource policies, procedures, and interpretation of CVRD collective agreements, where they are not related to REOC activations and are related to Emergency Management Cowichan staff;
  - (c) Approval of the Emergency Management Cowichan CVRD Function 205 annual budget;
  - (d) Inclusion of new partners in the Regional Emergency Management Organization (such as First Nations) upon recommendation of this Advisory Committee; and,
  - (e) Relocation of the REOC.

**SCHEDULE “B”**  
**REOC OPERATIONAL FRAMEWORK**

The Parties mutually agree to the following Regional Emergency Operations Centre (REOC) Operational Framework set out below:

1. The REOC may be activated under the following conditions:

(a) Response Support:

*A single Local Authority response – A situation confined to one location/jurisdiction that does not affect zone-wide services, population or traffic; OR*

*A multijurisdictional response – A situation affecting multiple-jurisdiction services, populations and geographical areas.*

(b) Response Command:

After emergency response activities by Emergency Services Personnel are completed (e.g. Ambulance/Police/Fire have completed rescue objectives) and emergency impacts still require urgent mitigation and management on site.

2. The authority to activate the REOC is with the Emergency Management Duty Manager, or designated Emergency Program Coordinator, of Emergency Management Cowichan. Wherever possible the Emergency Management Duty Manager will consult and coordinate with the impacted jurisdiction CAO(s) prior to activation.

3. The roles of the REOC may be filled by representatives from any local authority, Emergency Management Cowichan staff, or limited to only the 24-7 Emergency Management Cowichan Duty Manager, as the situation warrants.

4. Wherever possible based on staff knowledge, experience and skill, the command position of the REOC will be filled by staff from the impacted jurisdiction(s).

5. The REOC will include the use of the Incident Command System (ICS) to ensure improved communication, interoperability, scalability, and clarity of roles and responsibilities.

6. The REOC will incorporate and align to the British Columbia Emergency Management System (BCEMS) as it applies to the incident and where the Province may establish Provincial Regional Emergency Operations Centres and/or Provincial Emergency Coordination Centre.

7. The REOC will have authority to enact response actions and resources to any impacted jurisdiction of the Parties.

8. The REOC will have defined response and/or support objectives, which may include but are not limited to:

- a) Site support
- b) Consequence management
- c) Policy consultation

- d) Overall strategic direction
- e) Information collection, evaluation and distribution
- f) Coordination of agencies and/or departments
- g) Resource management
- h) Internal and external communications
- i) Continuity of essential operations

9. Other Regional Emergency Operations may be activated by the REOC or as needed under the Regional Emergency Plan.

**SCHEDULE "C"**  
**RESPONSE COMPENSATION AND PAYMENT PROVISIONS**

The Parties agree to the following Cost Sharing Principles set out below:

1. The Ministry of Emergency Management and Climate Readiness "Financial Assistance Guide for Local Authorities and First Nations" will be used where applicable as a guideline.
2. Any Providing Party may be requested to provide a cost estimate for any Incremental Cost associated with the use, deployment or staging of a resource requested to support a REOC response.
3. For human resource costs:
  - (a) The Finance Section of the REOC will provide to each Party a copy of Response Support Location attendance records.
  - (b) The Parties will each independently pay overtime salaries, wages and other employment expenses of any of their employees for the time spent by such persons combating the Emergency at the request of the REOC; and
  - (c) The Parties will each independently seek reimbursement for staffing Incremental Costs from the Province either through the Emergency Management British Columbia "*Financial Assistance Guide for Local Authorities and First Nations*" process or through the "*Wildfire Suppression with Local Governments Standard Operating Guideline*".
4. For non-human resource costs:
  - (a) The Providing Party shall be responsible to ensure any Incremental Costs incurred in connection with the gathering, movement and deployment of resources other than staff are invoiced to the REOC Finance Section.
  - (b) The REOC Finance Section will be responsible to ensure that invoices and expense authorizations are recorded and tracked as per REOC Standard Operating Practices.
5. Following the demobilization of a resource, and/or at incremental periods where appropriate or required by the resource, the Providing Party will submit an invoice to the REOC Finance Section for payment, respecting s.6 of this schedule.
6. Within 60 days, the CVRD will pay the Providing Party for:
  - (a) The reimbursement of volunteers where volunteers are entitled to compensation under their arrangements with the Providing Party for the time spent by such persons combating the Emergency or Disaster in the Requesting Party's area.
  - (b) Rates for external contractors and equipment resources as per the B.C. Road Builders & Heavy Construction Association, identified in the "*Blue Book Equipment Rental Rate Guide*". This standard is accepted by the Province and is used to establish the value and rates of resources consumed or otherwise not returnable to the Providing Party.



7. The REOC Finance Section, supported by the Chief Financial Officers of each Party, will be responsible to request pre-authorization for costs during a response where practical and identified by the Regional Plan.
8. The REOC Finance Section, supported by the Chief Financial Officers of each Party, will be responsible to apply for and submit the response claim for reimbursement from the Province.
9. Where REOC non-human response costs are deemed ineligible for reimbursement, the Parties agree to jointly seek reparation under section 110 of the *Emergency and Disaster Management Act*, 2023.
10. Internal resources shall be returned to a Providing Party as soon as they are no longer required as part of the Emergency response. Resources shall be deemed to be provided in good working order unless otherwise noted at time of acceptance.
11. Each Party hereto shall within 3 months from the date of this Agreement provide an updated list of major equipment resources owned by the Parties to the Regional Emergency Management Organization.

All Parties will be solely each responsible for the application and submission of their Party's recovery costs under any Disaster Financial Assistance program established by the Province. Prior to demobilization, the REOC will support the procurement and engagement of a Recovery Coordinator, where approved by

## MODIFICATION AGREEMENT

THIS MODIFICATION AGREEMENT is dated for reference March 21, 2025

### BETWEEN:

**HIS MAJESTY THE KING IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA**, as represented by the Minister of Emergency Management and Climate Readiness:

PO Box 9201 STN PROV GOVT  
Block A, Suite 200 – 2261 Keating Cross Road  
Victoria BC V8W 9P1

(the "Province")

### AND:

#### **TOWN OF LADYSMITH**

PO Box 220  
Ladysmith BC V9G 1A2

(the "Recipient")

### BACKGROUND

- A. The Parties entered into Contribution Agreement numbered EMCR24328 dated January 15, 2024 (the "Agreement"), and subsequently modified on February 28, 2025.
- B. The Parties have agreed to modify the Agreement.

### AGREEMENT

The Parties agree as follows:

1. Section 2.01 is replaced with the following:

The term of this Agreement commences on the Effective Date and ends on the earlier of **March 31, 2026** or the date on which this agreement is terminated in accordance with section 11.02 (the "**Termination Date**"). At the discretion of the Province the term of this Agreement can be extended until March 31, 2027.

2. Section 3.01 is replaced with the following:

The Contribution consists of an initial payment of \$48,000 and a second payment of \$48,000, to be used by the Recipient for the Project in accordance with this Agreement.

3. Section 3.02 is replaced with the following:

The Province will provide the initial payment of the Contribution to the Recipient within 30 days of the Agreement being signed by both parties. The Province will provide the second payment of the Contribution to the Recipient within 30 days of the Modification Agreement being signed by both parties.

4. In all other respects, the Agreement is confirmed.

<b>SIGNED AND DELIVERED</b> on the ____ day of _____, 20____ on behalf of the Province by its duly authorized representative  Signature:  _____  Print name:  _____	<b>SIGNED AND DELIVERED</b> on the ____ day of _____, 20____ by or on behalf of the Recipient by its duly authorized representative Signature(s):  _____  Print name(s):  _____
--	---



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T 250 245 2112  
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E [info@ladysmithcofc.com](mailto:info@ladysmithcofc.com)  
[www.ladysmithcofc.com](http://www.ladysmithcofc.com)

March 13 2025

**Subject:** Sponsorship Opportunity – 16th Annual Ladysmith Chamber Golf Classic

Dear Town of Ladysmith

We are excited to invite you to be part of the 16th Annual Ladysmith Chamber Memorial Golf Classic—our premier fundraising event! Taking place on June 13, 2025, at Cottonwood Golf Course, this highly anticipated tournament brings together nearly 100 business and government leaders for a day of golf, networking, prizes, and fun—all while supporting the Chamber's work in our community.

Your support has been invaluable in the past, and we would love to have you join us again as a sponsor and/or participant in this year's tournament. In previous years, the Town of Ladysmith has generously sponsored a hole and entered a team of four, and we invite you to continue this fantastic tradition.

We are proud to recognize Ladysmith & District Credit Union as this year's Title Sponsor, along with our Tournament Sponsors—Nanaimo Airport and FMC Holdings Ltd. Their commitment to community and economic growth helps make this event a success, and we greatly appreciate the support of all our sponsors.

There are a variety of sponsorship opportunities to choose from, allowing you to showcase your business in a way that best fits your goals. Whether it's as a Tournament Sponsor, Hole Sponsor, Cart Sponsor, or through Live & Silent Auction Donations, your involvement will put your brand front and center. New this year, we are offering Beverage Cart Sponsorships and a Putting Contest Sponsorship!

For full details on sponsorship levels and benefits as well as registration, please see the attached Sponsorship Package or visit our website at [www.ladysmithcofc.com](http://www.ladysmithcofc.com).

We look forward to seeing you on the course and ensuring your business is well represented. Please feel free to reach out with any questions—we'd be happy to discuss how we can tailor your sponsorship experience.

**Warm regards,**

*Roberta Bowman*

Roberta Bowman, Executive Director  
Ladysmith Chamber of Commerce  
[roberta@ladysmithcofc.com](mailto:roberta@ladysmithcofc.com)



**TITLE SPONSOR - \$3,500**

- Exclusive Sponsorship – Only one title sponsor; competitors excluded.
- Premier Branding – Logo featured on all event materials, signage at registration, reception.
- Event Participation – 4 golfers with dinner, hole sponsorship with kiosk, 2 cart sponsorships, opportunity to address guests.
- Recognition & Promotion – Acknowledgment in program, awards ceremony, post-event media, online , social media, etc.
- First Right of Refusal – Priority for next year’s sponsorship.
- Swag Opportunity – Provide branded items for participants.

**SOLD**

**TOURNAMENT SPONSOR - \$1,000**

- Exclusive Category Sponsorship – Competing businesses excluded.
- Brand Visibility – Logo featured in the golf program, awards ceremony & tournament advertising (secondary to Title Sponsor).
- Hole Sponsorship – Set up a kiosk to promote your business.
- Event Participation – Includes 2 golfers with dinner.
- Post-Event Recognition – thank you in the newspaper, newsletter, website,, social media etc.

**PUTTING CONTEST SPONSOR - \$250.00 + GRAND PRIZE DONATION FOR WINNER**

- Brand logos on all marketing (e-blasts, socials, and website)
- Brand logo on Putting Contest Signage
- Opportunity to pass out marketing materials
- Post-event recognition - thank you in the newspaper, newsletter, website,, social media etc.

**BEVERAGE CART SPONSOR - \$500**

- Brand logos on all marketing (e-blasts, socials, and website)
- Sign with brand logo on beverage cart
- Post-event recognition - thank you in the newspaper, newsletter, website, social media, etc.

**HOLE SPONSOR - \$250**

- Business recognition on signage on one hole on golf course with opportunity to set up a kiosk at your hole to promote your business.
- Recognition in the golf program and awards ceremony.
- Post-event recognition – thank you in the newspaper, newsletter, website, social media etc.

**CART SPONSOR - \$75 | CART FLEET SPONSOR - 5 FOR \$300**

- Business recognition on golf cart signage
- Recognition in the golf tournament program.
- Post-event recognition – thank you in the newspaper, newsletter, website, social media, etc.

**AUCTION PRIZE SPONSOR**

- Donate a product or service for use as an auction item
- Includes recognition in the golf tournament program and during auction result announcements
- Post-event recognition - thank you in the newspaper, newsletter, website, social media, etc.

**EMAIL US AT ADMIN@LADYSMITHCOFC.COM OR CALL US AT 250-245-2112 TO BECOME A SPONSOR**