

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

**Tuesday, June 3, 2025
Ladysmith Seniors Centre
630 2nd Avenue**

Pages

1. CALL TO ORDER

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

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

2. CLOSED SESSION

Recommendation

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

- (c) Labour relations or other employee relations;
- (g) Litigation or potential litigation affecting the municipality; and
- (i) The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

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 June 3, 2025.

5. RISE AND REPORT - Items from Closed Session

6. MINUTES

6.1 Minutes of the Public Hearing and Regular Meeting of Council held May 20, 2025

6

Recommendation

That Council approve the minutes of the Public Hearing and Regular Meeting of Council held May 20, 2025.

7. DELEGATIONS

7.1 Thomas Bevan, CEO, Island Corridor Foundation

18

Presentation on the Island Corridor Shared Vision Project and an Island Corridor Foundation update.

8. DEVELOPMENT APPLICATIONS

8.1 Development Variance Permit and Development Permit – 1305 Rocky Creek Road

30

Recommendation

That Council:

1. Issue Development Variance Permit Number 3090-25-04 to vary the following provisions of “Town of Ladysmith Zoning Bylaw 2014, No. 1860” for a proposed mixed-use development at 1305 Rocky Creek Road (Lot 3, District Lots 86 and 98, Oyster District, Plan EPP137580; PID: 032-442-882):

- a. Section 5.19 (a) to increase the height of a single retaining wall from 1.2 metres to 4.2 metres.
- b. Section 5.19 (c) (i) to reduce the required stepping of a retaining wall over 1.2 metres in height from 2.0 metres for every 3.0 metres in height to 0.0 metres for a single engineered retaining wall of 4.2 metres in height.
- c. Section 17.7.5. (g) to vary the permitted location of commercial

use from only the first storey of a building to the first and second storeys of a building.

2. Issue Development Permit Number 3060-24-26 to allow construction of a mixed-use development at 1305 Rocky Creek Road; and

3. Require as a condition of the issue of Development Permit 3060-24-26 that the applicant provide landscape security in the amount of \$258,614.80, as stated in the Development Permit (3060-24-26).

8.2 Temporary Use Permit – 930 Ludlow Road

68

Recommendation

That Council approve Temporary Use Permit 3340-25-03 for Lot 2, District Lot 24, Oyster District, Plan 45800, Except that part in Plan VIP73654 and Plan EPP71248 (930 Ludlow Road) to allow Tourist Accommodation as a temporary use in a caretaker dwelling.

9. COMMITTEE MINUTES

9.1 Community Planning Advisory Committee - May 14, 2025

83

Recommendation

That Council receive the minutes of the Community Planning Advisory Committee meeting held May 14, 2025.

10. REPORTS

10.1 Award for Colonia Dam Decommissioning

85

Recommendation

That Council:

1. Approve Change Order No. 1 for \$448,330 (excluding taxes and contingency) to Contract 2024-IS-05A, enabling Spider Mountain Excavators Ltd., the successful bidder for the Mackie Dam decommissioning in the 2024 competitive RFP process, to also decommission Colonia Dam under the existing contract, thereby minimizing additional costs; and
2. Adjust the 2025-2029 Financial Plan budgets for Mackie Weir and Colonia Weir accordingly.

Recommendation

That Council:

1. Receive the May 16, 2025 letter from the Show ‘n Shine applicants; and
2. Determine if it wishes to fund the request from the applicants for a traffic management plan and traffic services related to the 2025 event.

11. BYLAWS**11.1 Bylaw Status Sheet**

152

12. CORRESPONDENCE**12.1 Small-Scale Multi-Unit Housing**

153

Letter from Minister Ravi Kahlon regarding Small-Scale Multi-Unit Housing.

Recommendation

That Council receive the letter from Minister Ravi Kahlon regarding Small-Scale Multi-Unit Housing.

13. NEW BUSINESS**14. QUESTION PERIOD**

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

15. ADJOURNMENT



MINUTES OF A PUBLIC HEARING AND REGULAR MEETING OF COUNCIL

Tuesday, May 20, 2025

6:00 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
Councillor Marsh Stevens (*joined the meeting via Zoom at 7:58 p.m.*)
Councillor Jeff Virtanen

Staff Present:

Allison McCarrick
Erin Anderson
Chris Barfoot
Jake Belobaba
Tim Tanton
Chris Geiger
Julia Dewijn

Mike Sherman
Mark Van Vliet
Andrew Wilson
Sue Bouma
Nick Pescod
Hayley Young

1. OPEN MEETING AND ACKNOWLEDGEMENT

Mayor Beeston called this Public Hearing and Regular Meeting of Council to order at 6:00 p.m., recognizing with gratitude that it was taking place on the unceded territory of the Stz'uminus First Nation.

2. AGENDA APPROVAL

CS 2025-124

That Council approve the agenda for this Public Hearing and Regular Meeting of Council for May 20, 2025, as amended to include public submissions for Item 3.3, Public Hearing: Amendment to Covenant CB215820, registered as a condition of approval for Zoning Bylaw/Official Community Plan Amendment Bylaw Nos. 2068 and 2069.

Motion Carried

3. PUBLIC HEARING

Members of the Public present: 18

3.1 Outline of Public Hearing Process - Mayor Beeston

Mayor Beeston outlined the Public Hearing process and stated that the public would have the opportunity to provide their comments to Council about the proposal to amend conditions of approval for Bylaw Numbers 2068 and 2069.

She advised that staff would introduce the proposal, followed by public submissions. She reminded the public that the content of submissions would be made public and form a part of the public record for the Hearing, and that the function of Council at a Public Hearing is to listen rather than to debate the merits of the proposal, although they may ask clarifying questions.

She advised that once everyone had an opportunity to be heard, the Public Hearing would be closed and no further submissions or comments could be accepted by members of Council.

3.2 Introduction - Director of Development Services

Jake Belobaba, Director of Development Services, introduced the proposed amendments to Covenant CB215820, which was agreed to as a condition of approval of Bylaw Numbers 2068 and 2069 as the subject of this public hearing. Covenant CB215820 and Bylaws 2068 and 2069 apply to 1130 Rocky Creek Road legally described as: Lot 1 District Lots 24 and 38 Oyster District Plan EPP110197.

Mr. Belobaba confirmed that the purpose of the proposed amendments to Covenant CB215820 are to remove a requirement for the developer to construct a roundabout in the Ludlow Road/Rocky Creek Road Intersection; and add the following new covenant conditions:

- A prohibition on access from Ludlow Road and limited egress to Ludlow Road to a single, right out only egress, until the roundabout is constructed;
- A requirement to construct a temporary median in Ludlow Road prior to issuance of an Occupancy Permit;
- A requirement for cash in lieu of frontage improvements along Ludlow Road and Rocky Creek Road at time of building permit issuance;

- A requirement to install a temporary gravel pathway along the frontage of the property as shown in development permit 3060-24-20 at time of building permit issuance;
- A requirement to install no left turn signs in the Ludlow Road right of way to prevent left hand turns exiting 1010 Ludlow Road; and
- A requirement to install no U-Turn signs at the Ludlow Road/Rocky Creek Road Intersection.

Mr. Belobaba confirmed the Public Hearing notification and engagement process. Notice of this Public Hearing was printed in the Ladysmith Chronicle on May 15th, 2025 and posted on the Town's website and community notice boards. A copy of the notice and background information were made available at the front counter of the City Hall and the Development Services offices, and were available on the Town's website for the notice period. Staff in the Development Services office were available to respond to questions prior to the Public Hearing.

Mr. Belobaba advised that as of noon today, the Town has received ten written submissions relating to the proposal.

3.3 Submissions

3.4 Call for Submissions to Council (Three Times) - Mayor Beeston

Mayor Beeston invited the applicant to make the first submission; however, the applicant was not in attendance.

Mayor Beeston called for submissions from the public.

Sean Dunlop, 1010 Ludlow Road, co-owner of Home Hardware, spoke against the proposed amendments, citing concerns about traffic flow and safety if a median is installed without a roundabout. He noted the impact on nearby businesses, and shared that a petition had been submitted opposing the change. He questioned whether the traffic study requested by Council in February had been completed and urged Council not to proceed without it.

Mike Elliott, 495 Dunsmuir Street, Project Manager at ISL Engineering and Land Services, spoke against the proposed amendments, expressing concern as an engineer that installing a median without a roundabout and removing the left-turn option would create more traffic problems than it solves, particularly with regard to U-turns.

Michael Traywick, 320 Roberts Street, an employee at Ladysmith Home Hardware, opposed the amendments, citing economic and logistical impacts on nearby businesses. He noted that the original traffic study recommended maintaining left-turn access and stated that the proposed median contradicts those findings. He also raised concerns about traffic entering a privately owned easement and questioned the status of the staff report requested in February.

Christine Copeland, 1030 Oyster Bay Drive, strongly opposed the proposal, emphasizing the need for the roundabout to proceed. She cited safety concerns related to truck loading and unloading and stated that the proposed changes would cause serious economic hardship for local businesses.

Patricia Huggins, 309 Gill Road, spoke against installing a median without a roundabout. She said she uses the area frequently and noted that delaying the roundabout would only increase its cost. She compared the traffic flow to Coronation Mall, where left turns are common and no median is present.

Mayor Beeston called for submissions a second time.

Murray McNabb, 4695 Yellow Point Road, opposed the proposed changes, noting that earlier permit language did not require eliminating left turns unless a roundabout was built. He raised concerns about long-term traffic impacts and emphasized that new development should not come at the expense of existing businesses.

Rob Johnson, 526 1st Avenue, opposed the installation of a median, describing it as a response to a perceived rather than actual traffic problem. He stated that no median should be installed until a roundabout is in place.

David Copeland, 1030 Oyster Bay Drive, service manager at Ladysmith Motorsports, opposed the proposal and described the lot's shared use for deliveries, parking, and mechanical work. He said the proposed changes would disrupt operations and negatively impact the customer experience due to the high volume and nature of traffic in the space.

Mayor Beeston called for submissions a third and final time.

Mayor Beeston asked the Corporate Officer, S. Bouma, if any submissions had been received during the Hearing. The Corporate Officer advised that no submissions had been received.

3.5 Declaration that the Public Hearing for Amendment to Covenant CB215820 is Closed - Mayor Beeston

Hearing no further comments and receiving no further submissions, Mayor Beeston declared the Public Hearing for the proposed amendments to Covenant CB215820 closed at 6:34 p.m., and stated that no further submissions or comments from the public or interested persons could be accepted by members of Council.

4. COVENANT AMENDMENT - 1130 ROCKY CREEK ROAD (SUBJECT OF PUBLIC HEARING)

4.1 Amendment of Covenant CB215820

CS 2025-125

That Council:

1. Subject to Approval from the Ministry of Transportation and Transit, authorize the amendment of Covenant CB215820 to remove the requirement to construct a roundabout;
2. Require that, as a condition of approval of amending Covenant CB215820 the following conditions to be secured through a covenant:
 - a. A prohibition on access from Ludlow Road and limited egress to Ludlow Road to a single, right out only egress, until the roundabout is constructed;
 - b. A requirement to construct a temporary median in Ludlow Road prior to issuance of an Occupancy Permit;
 - c. A requirement for cash in lieu of frontage improvements along Ludlow Road and Rocky Creek Road at time of building permit issuance;
 - d. A requirement to install a temporary gravel pathway along the frontage of the property as shown in development permit 3060-24-20 at time of building permit issuance;
 - e. A requirement to install no left turn signs in the Ludlow Road right of way to prevent left hand turns exiting 1010 Ludlow Road;
 - f. A requirement to install no U-Turn signs at the Ludlow Road/Rocky Creek Road Intersection;
 - g. A requirement for the developer to contribute an amount equal to 43% of the cost of the roundabout at time of building permit issuance;

3. Require the cost of the roundabout under 2(g) be determined by a Class A cost estimate prepared by a professional engineer, and at the cost of the applicant, prior to amending the covenant; and
4. Direct staff to bring forward a proposal to include the roundabout in the Town's capital work plan, as part of the 2026 annual budget.

Motion Defeated

OPPOSED: Councillors McKay, Paterson and Virtanen.

CS 2025-126

That Council:

1. Subject to approval from the Ministry of Transportation and Transit, authorize the amendment of Covenant CB215820 to remove the requirement to construct a roundabout;
2. Require that, as a condition of approval of amending Covenant CB215820 the following conditions to be secured through a covenant:
 - a. A prohibition on access from Ludlow Road and limited egress to Ludlow Road to a single, right out only egress, until the roundabout is constructed;
 - b. A requirement for cash in lieu of frontage improvements along Ludlow Road and Rocky Creek Road at time of building permit issuance;
 - c. A requirement to install a temporary gravel pathway along the frontage of the property as shown in development permit 3060-24-20 at time of building permit issuance;
 - d. A requirement to install no U-Turn signs at the Ludlow Road/Rocky Creek Road Intersection; and
3. Direct staff to bring forward a proposal to include the roundabout in the Town's capital work plan, as part of the 2026 annual budget.

Motion Carried

OPPOSED: Councillors Gourlay and Jacobson.

RECESS

By unanimous consent, Council recessed at 7:36 p.m. and reconvened at 7:41 p.m.

5. MINUTES

5.1 Minutes of the Regular Meeting of Council held May 6, 2025

CS 2025-127

That Council approve the minutes of the Regular Meeting of Council held May 6, 2025.

Motion Carried

6. DELEGATIONS

6.1 Bob Day and Kenzie Knight, Tourism Cowichan Society

Bob Day, President of Tourism Cowichan Society, introduced the Society and provided background information on its mandate, board structure, and goals. He then introduced Kenzie Knight, Tourism Development Specialist, who provided a presentation on the Society's strategic objectives, spring and fall marketing campaigns, destination development initiatives, and upcoming projects. Ms. Knight responded to questions from Council.

Councillor Stevens joined the meeting at 7:58 p.m.

7. DEVELOPMENT APPLICATIONS

7.1 Temporary Use Permit – 226 Buller Street

CS 2025-128

That Council approve Temporary Use Permit 3340-25-02 for Lot 20, Block 45, Lot 56, Oyster District, Plan 703A (226 Buller Street) to allow Tourist Accommodation as a temporary use in a secondary suite.

Motion Carried

7.2 Liquor Patio Endorsement - 530 1st Ave (Zack's Lounge)

CS 2025-129

That Council, in response to the referral from the Liquor and Cannabis Regulation Branch for a patio endorsement application in conjunction with a Liquor Primary outdoor patio licence for Zack's Lounge at 530 1st Avenue, opt out of the local government comment process and direct staff to notify the Liquor and Cannabis Regulation Branch that the Town does not wish to comment on the application.

Motion Carried

8. COMMITTEE MINUTES

8.1 Committee of the Whole - May 13, 2025

CS 2025-130

That Council approve the Ladysmith RCMP Detachment Annual Performance Plan for 2025-2026.

Motion Carried

CS 2025-131

That Council:

- A. Reinstate fees for parklets and patios on Town streets, with annual fees of \$6.04 per m² or \$89.69 per parking stall, as provided in the report dated May 13, 2025; and
- B. Direct staff to amend "Streets and Traffic Bylaw 1998, No.1309" based on item A.

Motion Carried

CS 2025-132

That Council direct staff to prepare a report for a future meeting of Council that:

- A. Presents options for increasing cemetery plot fees for non-residents; and
- B. Assesses the feasibility of installing a columbarium niche structure for the interment of urns.

Motion Carried

9. REPORTS

9.1 Section 57 Notice on Title and Remedial Action Requirements, 324 Morgan Road

The property owner of 324 Morgan Road appeared before Council to speak to the Section 57 Notice on Title and Remedial Action Requirements. The proponent provided background information, addressed complaints related to the property, outlined steps taken to resolve the concerns, and responded to questions from Council.

CS 2025-133

That Council:

1. Pursuant to section 57(3) of the *Community Charter*:
 - a. Provide an opportunity for the owner to be heard regarding the Building Inspector's recommendation to place a notice pursuant to section 57 of the *Community Charter* on title of Parcel A (Being a Consolidation of Lots A & B, See CA3693354) District Lot 42 Oyster District Plan EPP17717, (324 Morgan Road) as described in the Inspector's May 20, 2025 report to Council;
 - b. Provide an opportunity for the Building Inspector to be heard, regarding the Building Inspector's recommendation to place a notice on title as described in the Inspector's May 20, 2025 report to Council;
 - c. Confirm the recommendations of the Building Inspector as outlined in the Inspector's May 20, 2025 report to Council; and
 - d. Direct the Corporate Officer to file a notice in the Land Title Office for the property legally described as 324 Morgan Road, in accordance with subsections 57(3)(a) and (b) of the *Community Charter*;
2. Pursuant to section 72 of the *Community Charter*:
 - a. Impose a Remedial Action Requirement on the owner of 324 Morgan Road to:
 - i. Remove all shipping containers, including any containers altered to create buildings and containers supporting any buildings or structures;
 - ii. Remove two of the three recreational vehicles from the property;
 - iii. Have a Red Seal Plumber permanently decommission the plumbing systems servicing the recreational vehicles;
 - iv. Restore the altered hillside adjacent to the Trans-Canada Highway Right-of-Way under the supervision of a geotechnical engineer; and
 - v. Restore the riparian area under the direction of a Qualified Environmental Professional under the Riparian Areas Protection Act;
 - b. Require completion of the remedial actions under recommendation 2(a) within 120 days;
 - c. Direct staff to advise the owner that they may request that Council reconsider the Remedial Action by providing written

notice within 14 days of the date of the notice of the Remedial Action Requirement; and

- d. Direct staff to take action, if necessary, in accordance with Section 17 of the *Community Charter*, without further notice and at the owner's expense, if the Remedial Action under recommendation 2(a) is not completed.

Motion Carried

9.2 Emergency Access Through Brown Drive Park

CS 2025-134

That Council:

1. Receive the request by the developer of Lot A District Lot 126 Oyster District Plan VIP73132 Except Part in Plan EPP23747 Malone Road to install an emergency access/egress road through Brown Drive Park;
2. Refer the proposal to the Parks, Recreation & Culture Advisory Committee; and
3. Defer further consideration of the request pending review by PRCAC.

Motion Carried

9.3 Adjustment to Water Billing Account – 2025, Q1,Q2

CS 2025-135

That Council:

1. Provide a bill adjustment due to a water leak for 000-1050370-000 in the amount of \$3,340.74 and 000-0695000-000 in the amount of \$3,623.26; and
2. Provide a second water leak adjustment for account 000-0043000-000 in the amount of \$176.36.

Motion Carried

9.4 Award FJCC Roof Replacement Tender

CS 2025-136

That Council award the FJCC Roof Replacement Phase 1 - Tender 2025-PRC-01 to United Roofing (BC) Inc. in the amount of \$420,470.00 (excluding applicable taxes).

Motion Carried

9.5 Recycling Management Services Agreement

CS 2025-137

That Council:

1. Authorize the Mayor and Corporate Officer to sign the Solid Waste Management Services Agreement between the Town and the Cowichan Valley Regional District (CVRD);
2. Inform Recycle BC of the arrangement between the CVRD and the Town; and
3. Authorize the Mayor and Corporate Officer to sign the Recycle BC Statement of Work and the Master Services Agreement.

Motion Carried

9.6 UBCM Community to Community (C2C) Forum Program

CS 2025-138

That Council:

1. Authorize staff to apply to the Union of BC Municipalities for up to \$10,000 during the 2025 application intake for the Regional Community to Community Forum Program to support a community forum with the Stz'uminus First Nation Council; and
2. Amend the 2025-2029 Financial Plan accordingly.

Motion Carried

10. BYLAWS

10.1 Bylaw Status Sheet

11. QUESTION PERIOD

A member of the public inquired about the status of Zack's Lounge's patio permit, including its renewal, expiry, associated fees, and whether the Town is considering revocation. The member also raised a question regarding the historical dedication and use of community parks, including Brown Drive Park.

12. ADJOURNMENT

CS 2025-139

That Council adjourn this Public Hearing and Regular Council Meeting at 8:56 p.m.

Motion Carried

CERTIFIED CORRECT

Mayor (D. Beeston)

Corporate Officer (S. Bouma)

SHARED VISION PROJECT AND ICF UPDATE FOR MUNICIPALITIES

THOMAS BEVAN, RPP,

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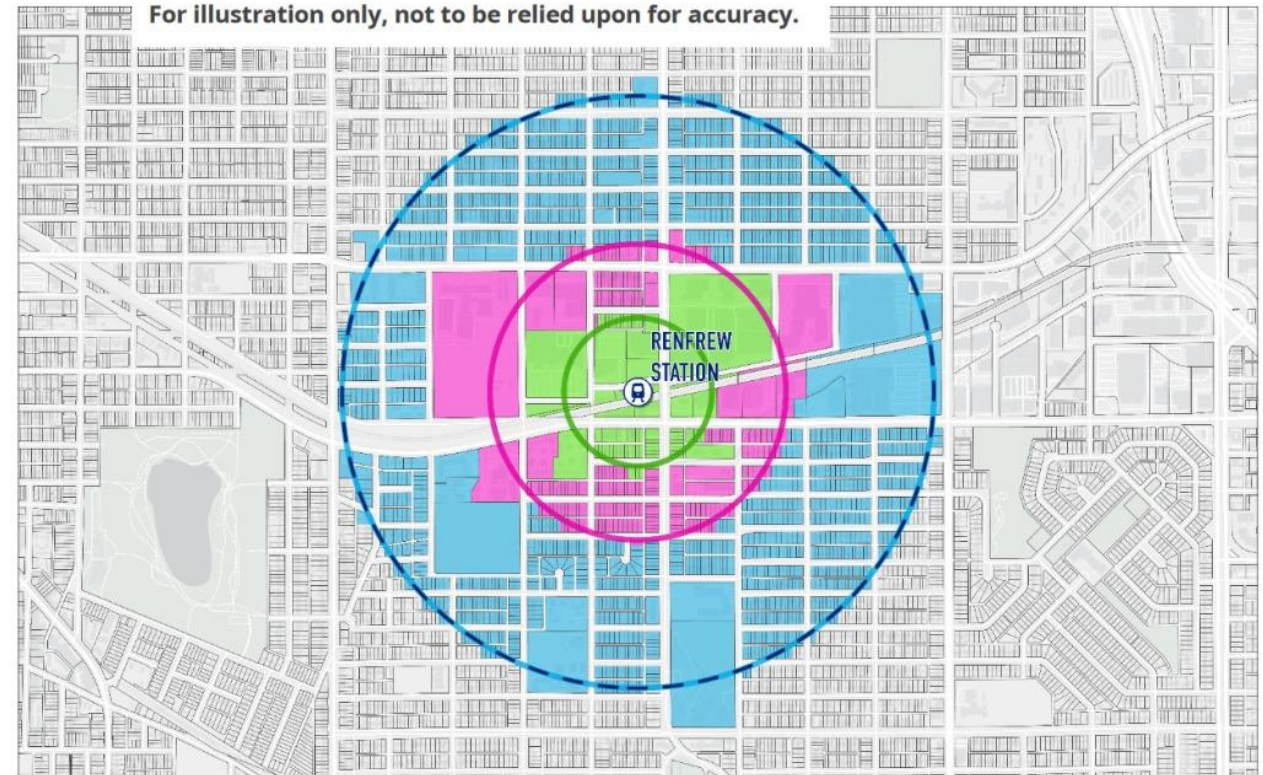
CEO, ISLAND CORRIDOR FOUNDATION

PRINCIPLES

The best
transportation
plan is a good
land use plan

Catchment Area Map Example:

For illustration only, not to be relied upon for accuracy.



Legend


 Passenger Rail

 Transit Oriented Area

 Parcel

 200 metre Tier

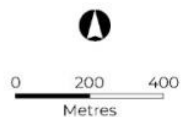
 400 metre Tier

 800 metre Tier

 200 metre Tier Parcel

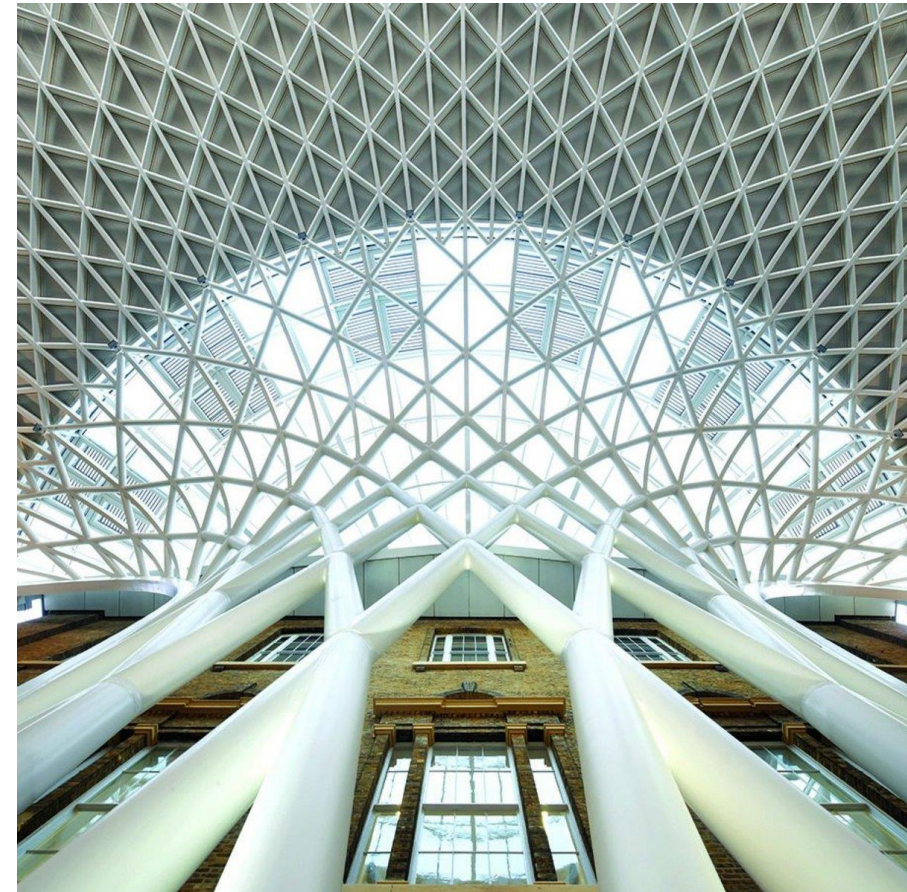
 400 metre Tier Parcel

 800 metre Tier Parcel



MULTIMODALITY IS CRITICAL

- By land, water, and air
- A connected continuum of service - active transit, public transit, carshare, personal vehicles
- Integration of modes makes for network effects, and the systems success compounds
- Hub development model creates efficiency and development concentration (ie Waterfront Station, Lonsdale Quay, Loughheed Town Centre)



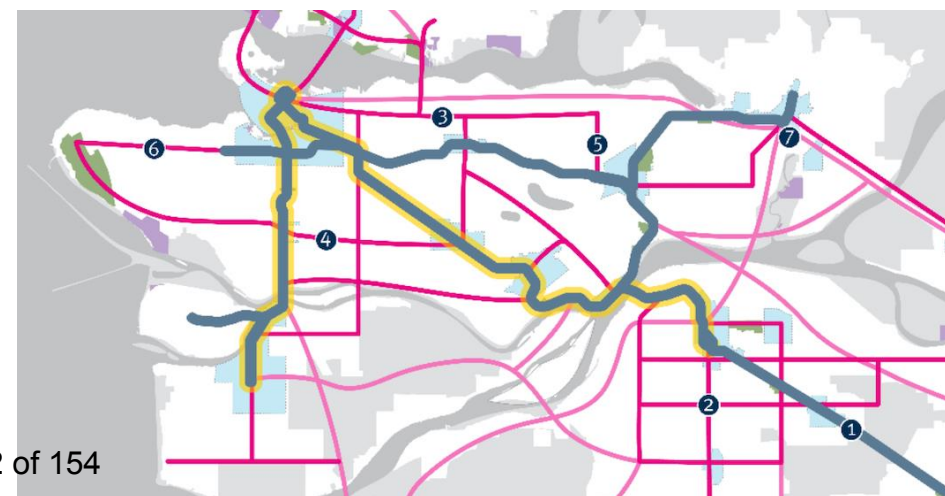
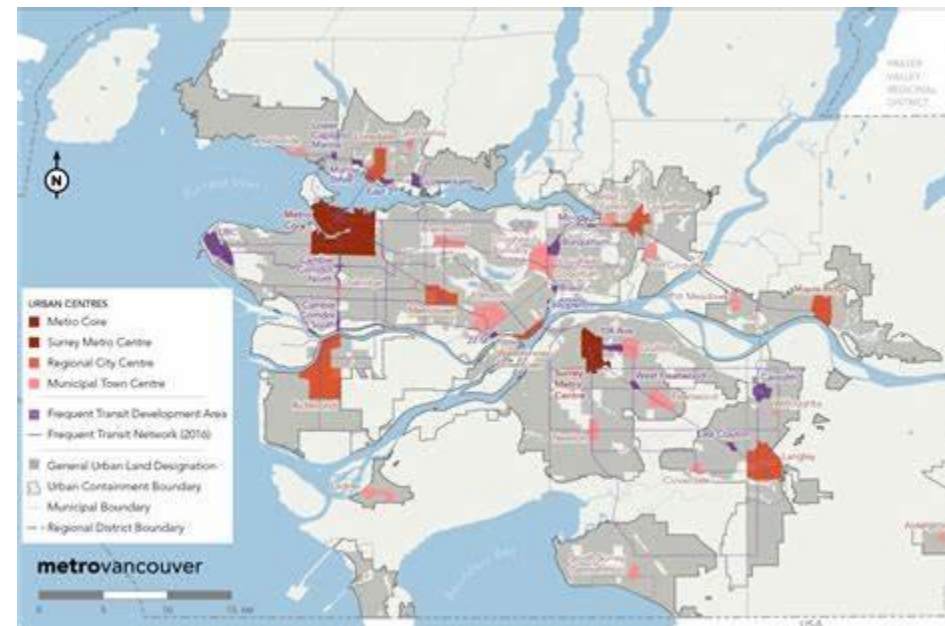
INTER-REGIONAL TRANSIT INTEGRATION COMPOUNDS EFFICIENCIES

- Currently the Island transportation network can be at times fractured between RDs and even neighboring cities
- Room for improvement in creating an integrated approach across jurisdictional boundaries (aka Translink)
- Current system is very vulnerable to disruptions – physical and economic



INTEGRATED PLANNING LEADERSHIP

- Metro 2050 by Metro Van & Transport 2050 by Translink happened concurrently
- Creating a complementary vision for a future growth and transportation strategy for Metro Van at the macro level



THE VANCOUVER ISLAND CORRIDOR

- How can the Corridor be part of the integrated planning puzzle?
- It already forms the original spine of the Island's modern linear settlement pattern
- Governed and controlled by the 14 First nation and 5 Regional District it passes through
- It is an opportunity to connect CVRD communities and potentially beyond
- Transit oriented development along a spine that further focusses the Island's future growth
- Potential for multimodal connections and movement of people across a range of diverse modes
- Potential to concentrate, and co locate utilities (water, energy, etc) that facilitate new growth



SHARED VISION PROJECT

- \$18million provided by the Province 2023
- Distributed to 14 First Nations and 5 Regional Districts to study what they feel the future of the Corridor should be
- ICF is helping to coordinate with the independent work of all our members on our collective future
- All future scenarios will be determined by our members and for their benefit
- June 2025: All Parties' Meeting to explore common interests

ISLAND CORRIDOR

**SHARED
VISION
PROJECT**

NATIONS ARE RIGHTSHOLDERS

- All 14 First nations looking at their unique interests and relation to the Corridor
 - Diverse conditions physically, socially and economically
- The Corridor is the result of an unjust Colonial project from the late 1800s
 - 20% of land on Vancouver Island taken from FN traditional territory to pay for creation of the Corridor
 - In some places, reserve lands were expropriated as well so the line could pass through
 - ICF is committed to reconciling this past and honouring reversionary rights where they apply.

WORK OF REGIONAL DISTRICTS

- CRD: participating in Transit 2025 planning efforts and coordinating with BC Transit and Westshore Mayors' Council to see Corridor made use of.
- Cowichan VRD: Stantec and Modus work completed
 - 79% in support of rail transportation
 - Resolving reversion concerns for Bisected Nations whose lands were expropriated is a critical first step.
 - Strong potential to intensify land use in regional growth centres near to the Corridor
- RDN: supporting local Nations and waiting to follow suit from work of other RDS
- Comox VRD: Urban Systems, HDR and Barefoot Planning looking at land use beside the Corridor and possibilities for utility.
 - Considering creative options: if/then scenarios depending on different levels of public funding.
- ACRD: researching a business case for 10-ton freight, tourist rail service, emergency access opportunities and new barge slip in the mid Island
 - Completing primary investigation of track conditions and base level repairs required

SHARED VISION NEXT STEPS

- Funding from Province - timeline extended to February 2026
- All Parties' Meeting
- Participation and involvement in upcoming local area plans and OCP updates
 - (eg: Langford, Nanaimo Woodgrove, Courtenay downtown)
- Engagement with federal and provincial governments

LADYSMITH TRAIN STATION

- Partnership with Ladysmith Chamber of Commerce as anchor tenant
- \$1million of funding secured from REDIP program to refurbish building into a community hub
- Amazing potential to continue the transformation of the waterfront area
- Informed Stz'uminus and communication channels active
- Need to refine project details and create project management plan
- May be a good time to zoom out first to consider how the Station is connected at the neighbourhood scale to other projects like the Machine Shop, Oyster Bay Marina and the waterfront plan

POTENTIAL PROTOTYPE USES

- Growing enthusiasm for temporary hirail bus in select locations where there is clear support, need and suitability
- Much of the rail condition is currently suitable and has been recently cleared for this type of use
- Inspiring example in Seton Lake First Nation near Lillooet, who provide a commercial service 365 days/week to their members.



STAFF REPORT TO COUNCIL

Report Prepared By: Vidhi Kyada, Planning Technician
Reviewed By: Jake Belobaba RPP, MCIP, Director of Development Services
Meeting Date: June 3, 2025
File No: **DVP 3090-25-04 and DP 3060-24-26**
RE: **Development Variance Permit and Development Permit – 1305 Rocky Creek Road**

RECOMMENDATION:

That Council:

1. Issue Development Variance Permit Number 3090-25-04 to vary the following provisions of “Town of Ladysmith Zoning Bylaw 2014, No. 1860” for a proposed mixed-use development at 1305 Rocky Creek Road (Lot 3, District Lots 86 and 98, Oyster District, Plan EPP137580; PID: 032-442-882):
 - a. Section 5.19 (a) to increase the height of a single retaining wall from 1.2 metres to 4.2 metres.
 - b. Section 5.19 (c) (i) to reduce the required stepping of a retaining wall over 1.2 metres in height from 2.0 metres for every 3.0 metres in height to 0.0 metres for a single engineered retaining wall of 4.2 metres in height.
 - c. Section 17.7.5. (g) to vary the permitted location of commercial use from only the first storey of a building to the first and second storeys of a building.
2. Issue Development Permit Number 3060-24-26 to allow construction of a mixed-use development at 1305 Rocky Creek Road; and
3. Require as a condition of the issue of Development Permit 3060-24-26 that the applicant provide landscape security in the amount of \$258,614.80, as stated in the Development Permit (3060-24-26).

EXECUTIVE SUMMARY:

The purpose of this report is to introduce a proposal to construct 7 commercial units and 6 residential units at 1305 Rocky Creek Road, consisting of a one-storey commercial use building and a three-storey mixed-use building. The proposed development requires a development variance permit and a development permit.

The applicant is requesting a variance to increase the height of a single retaining wall from 1.2 metres to 4.2 metres, to reduce the horizontal stepping of a retaining wall over 1.2 metres in height from 2.0 metres for every 3.0 metres in height to 0.0 metres for a single engineered retaining wall of 4.2 metres in height, and vary the permitted location of

commercial use from only the first storey of a building to the first and second storeys of a building.

Staff recommend approval of DVP 3090-25-04 (Attachment B) based on the impact analysis, and approval of DP 3060-24-26 (Attachment C) based on consistency with the Commercial - Development Permit Area 3 and Multi-Unit Residential – Development Permit Area 4 guidelines.

PREVIOUS COUNCIL DIRECTION:

N/A

INTRODUCTION/BACKGROUND:

Subject property

The subject property is a 4,650 square metre parcel located at 1305 Rocky Creek Road. The property is currently designated Multi-Family Residential under the Official Community Plan (OCP), zoned Comprehensive Development 7 – Rocky Creek Road Mixed-Use Residential (CD-7) under the Zoning Bylaw and falls within the Commercial (DPA 3) and Multi-Unit Residential (DPA 4) Development Permit Areas. The property is an undeveloped site previously used as a mobile home park.

Surrounding land-uses include:

- North: Single-family lots of the same subdivision and the CVRD Area H/Town of Ladysmith boundary.
- South: Light industrial lands.
- East: Multi-family lots of the same subdivision and the foreshore.
- West: Rocky Creek Road, the Trans Canada Highway, and the CVRD Area H.

Background

The subject property is located within the Multi-family land use designation in the OCP and zoned Comprehensive Development 7 – Rocky Creek Road Mixed-Use Residential (CD-7) in the Zoning Bylaw.

Multi-family areas provide for greater diversity and density of multi-family residential types and tenures. The CD-7 zone does not have specific regulations for mixed-use development. However, the commercial use within this zone is limited to only the first storey of a building. The retaining wall regulations requires that a single retaining wall shall not exceed a maximum of 1.2 metres in height and shall be stepped back 2.0 metres for every 3.0 metres in height for retaining walls over 1.2 metres tall.

The subject property is lot 3 in the new 23-lot subdivision at 1301 and 1391 Rocky Creek Road approved in January 2025. A Development Permit (DP 3060-23-01) was approved on July 4th, 2023, for the land alteration and subdivision of a mixed-use, multi-unit and single-family development. DP amendment 3060-23-20 (amending DP 3060-23-01) was issued for the construction of a stormwater outfall pipe required for the subdivision of the site. DP Amendment 3060-24-02 (to amend DP 3060-23-01) was approved on September 4th, 2024, to permit construction of a public pathway and elevated stairway.

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

PROPOSAL:

The applicant proposes to construct 7 commercial units and 6 residential units: one building with 2 commercial units and a mixed-use building with commercial units on the first and second storeys and residential units on the third. The site plan and building design plans show details of the proposal and are attached as Schedules to DP 24-26. The applicant is requesting variances to regulations for a retaining wall and the location of commercial uses.

The proposed development proposes a commercial use on the first and second storeys of the building, a 4.2-metre high single-engineered retaining wall with required horizontal stepping reduced to 0.0 metres. Therefore, a development variance permit is required.

The proposed variances are summarized in the table below.

Table 1: Summary of proposed variance

Zoning Regulation	Permitted	Proposed
Maximum height of single retaining wall	1.2 metres	4.2 metres
Stepping of retaining walls over 1.2 metres in height	2.0 metre step-back for every 3.0 metres in height	0.0 metres for a wall of 4.2 metres in height
Location of commercial use in a building	Only on first storey	First and second storeys

The proposed development complies with all other regulations of the CD-7 zone.

The OCP requires a Development Permit prior to construction as the property is located within Development Permit Area 3 – Commercial (DPA 3) and Development Permit Area 4 – Multi-Unit Residential (DPA 4).

A rationale letter from the applicant is provided as Attachment D.

ANALYSIS:

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

Variance Proposal

The proposed increase in the retaining wall height, reduction in the horizontal stepping of a retaining wall over 1.2 metres-tall and allowance for commercial use on the second storey of a building are intended to accommodate the site's natural topography. The site has a moderate downward slope from the Rocky Creek Road. The building is thoughtfully integrated into the topography, with the lowest storey exposed on the eastern side, thereby minimizing site disturbance. The proposed grading allows for a level entrance from both the lower floor (Level 1/first storey) and the main floor (Level 2/second storey).

As the building fronts both Rocky Creek Road and Marina View Drive, it features two front façades. The proposed retaining wall is intended to retain the soil between level 1 and

level 2 adjacent to the loading/solid waste storage area. A stepped retaining wall has not been included in the proposal, as it would reduce usable space for loading/solid waste storage and require the waste storage and loading spaces to be located closer to public outdoor amenities and sidewalks. This would have greater potential for conflict between the public and private uses.

Development Permit Area Guidelines

The proposal is subject to the requirements of DPA 3 – Commercial and DPA 4 – Multi-Unit Residential. The purpose of DPA 3 is to enhance commercial development in Ladysmith and ensure that commercial development is complementary to the existing character of Ladysmith and aligned with the Town’s vision for future growth.

The purpose of DPA 4 is to achieve a high standard 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 are intended 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.

Attachment E provides a detailed review of the proposal in the context of the DPA 3 and DPA 4 guidelines. Highlights of the proposal include:

- The buildings are both oriented towards the interior side of the parcel and along Marina View Drive to serve as an anchor for the overall development.
- The façades are articulated through a combination of varying projections and modulated rooflines. Generous glazing comprising of large windows, glass doors, and prominent primary entrances along the building’s façade enhances both visual and physical permeability.
- The buildings feature a neutral colour palette comprising a gradient of grey and white. This is accented with selective vibrant tones such as red, blue, and green, ensuring visual interest while maintaining harmony with the surrounding architectural context.
- All the internal walkways are seamlessly connected to the public walkways along the Rocky Creek Road and Marina View Drive. These pathways also provide direct access to the public plazas located at the rear of the buildings, promoting pedestrian connectivity.
- The existing mature trees along the Rocky Creek Road will be preserved. The proposed gathering spaces, public plazas, walkways and outdoor restaurant/café seating are well connected with the Marina View Drive and enhances the streetscape. Seasonal furnishing is proposed for the plazas and patios and all the outdoor amenities are accessible.

Staff recommend approval of the Development Permit and Development Variance Permit because the proposal is generally consistent with the Commercial (DPA 3) and Multi-Unit Residential (DPA 4) Development Permit Areas’ guidelines.

ALTERNATIVES:

Council can choose to:

1. Not issue DVP 3090-25-04 and refer DP 3060-24-26 back to staff.
2. Not issue DP 3060-24-26 and specify the reasons for refusal, citing specific development permit guidelines.
3. Defer consideration of the application and refer the proposal to a subsequent meeting of Council.
4. Amend the conditions of the proposed permits and approve the issuance of the permits as amended.
5. 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 within 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 variances. If the proposed variances are denied the proposed Development Permit must either be approved as amended (see Alternative 4) or denied. If the Development Permit is refused, reasons must be given based on the DPA 3 and DPA 4 guidelines, as the issuance of a DP is not a completely discretionary decision of Council.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Mail notification for the proposed development variance permit pursuant to section 499 of the *Local Government Act*, was carried out on May 23, 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.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

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

Table 4: Department Comments

Referred (Yes/No)	Department	Comments
Yes	Infrastructure Services	A Building Permit will be withheld until the watermain is removed. The water meter and fire backflow should be located at or near the property line, not in the building.
Yes	Building Inspection	No concerns.
No	Parks Recreation and Culture	N/A
No	Financial Services	N/A

No	Legislative Services/Corporate Services	N/A
Yes	Fire/Protective Services	No Concerns.

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 recommendations.

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

- A. Subject Property Map
- B. Draft DVP 3090-25-04
- C. Draft DP 3060-25-26
- D. Applicant Rationale Letter
- E. Development Permit Areas Guideline Analysis

1305 ROCKY CREEK ROAD



 Subject Property

LOCATION MAP



 Subject Property

ZONING MAP



 Subject Property

DPA MAP



TOWN OF LADYSMITH DEVELOPMENT VARIANCE PERMIT

(Section 498 Local Government Act)

FILE NO: 3090-25-04

DATE: June 3, 2025

Name of Owner(s) of Land (Permittee): FMC Holdings Ltd., Inc. No. BC0852472

Applicant: Stefan Crucil (FMC Holdings Ltd.)

Subject Property (Civic Address): 1305 Rocky Creek Road/178 Marina View Drive

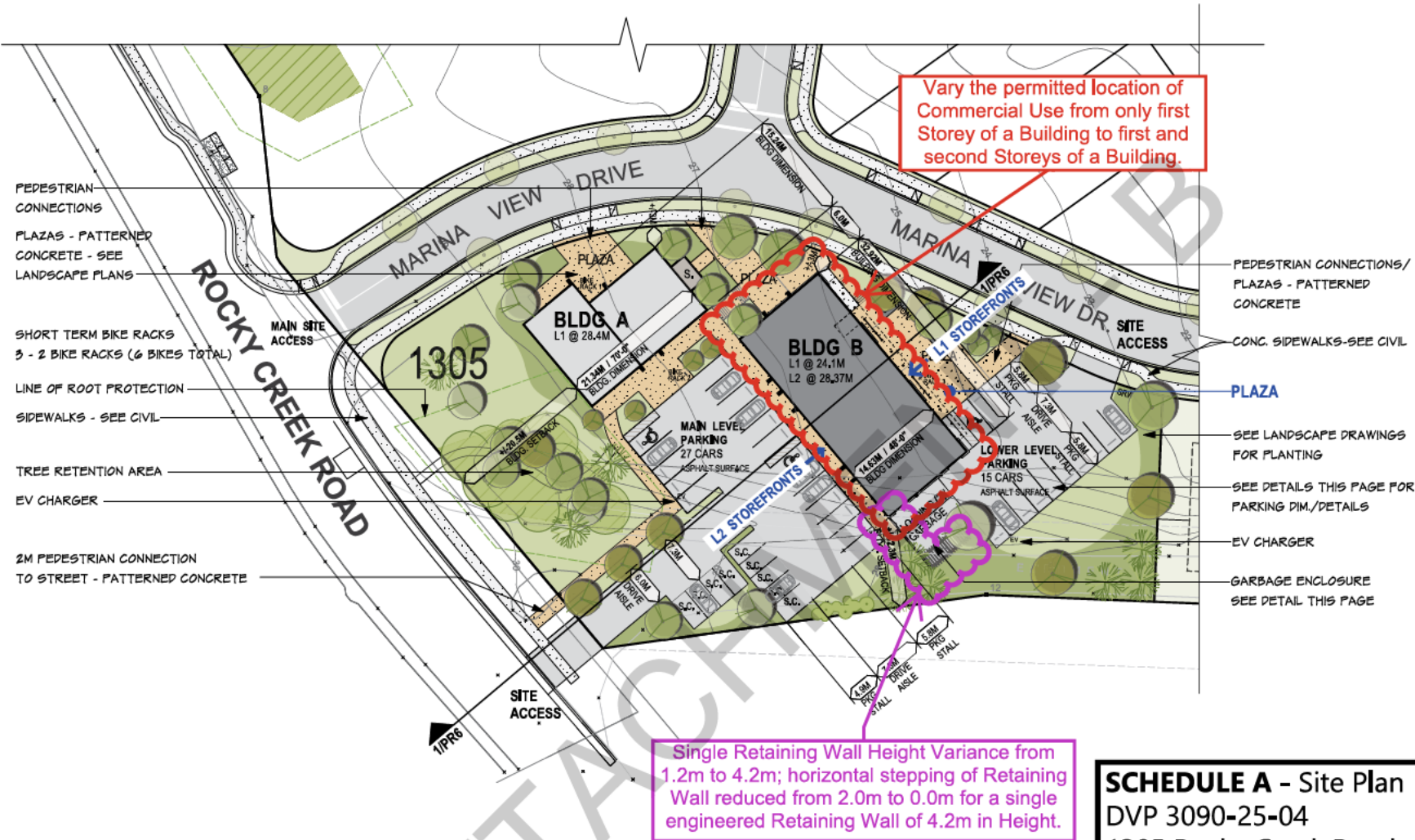
1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Town of Ladysmith applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies to and only to those lands within the Town of Ladysmith described below and any and all buildings, structures and other development thereon:

Lot 3, District Lots 86 and 98, Oyster District, Plan EPP137580
PID: 032-442-882
(1305 Rocky Creek Road/178 Marina View Drive)
(referred to as the "Land")
3. Section 5.19 (a) of "Retaining Walls Regulations" of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied for the Land by increasing the *Height* of single *Retaining Wall* from 1.2 metres to 4.2 metres to allow a construction of a *Retaining Wall* as shown on **Schedule B – Landscape Plan**.
4. Section 5.19 (c) (i) of "Retaining Walls Regulations" of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied for the Land by reducing the required stepping of a single engineered *Retaining Wall* exceeding 1.2 metres in *Height* from 2.0 metres for every 3.0 metres in *Height* to 0.0 metres for a single engineered *Retaining Wall* of 4.2 metre in *Height* as shown on **Schedule B – Landscape Plan**.
5. Section 17.7.5. (g) of "Comprehensive Development 7 – Rocky Creek Road Mixed-Use Residential (CD-7)" zone of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied for the Land by increasing the permitted location of commercial use from only first *Storey* of a *Building* to the first and

second Storeys of a building as shown on **Schedule C – Elevation and Site Section Drawings**.

6. 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.
7. The following plans and specifications are attached:
 - (a) **Schedule A – Site Plan**
 - (b) **Schedule B – Landscape Plan**
 - (c) **Schedule C – Elevation and Site Section Drawings**
8. 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.
9. For the purposes of section 8, “substantially start” means:
 - a. works undertaken in compliance with this permit and the bylaws of the Town for which a valid building permit has been issued; and
 - b. does not include clearing, grubbing or excavation work.
10. Notice of this Permit shall be filed in the Land Title Office at Victoria under section 503 of the *Local Government Act*, and upon such filing, the terms of this Permit (**3090-25-04**) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
11. **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 Town.

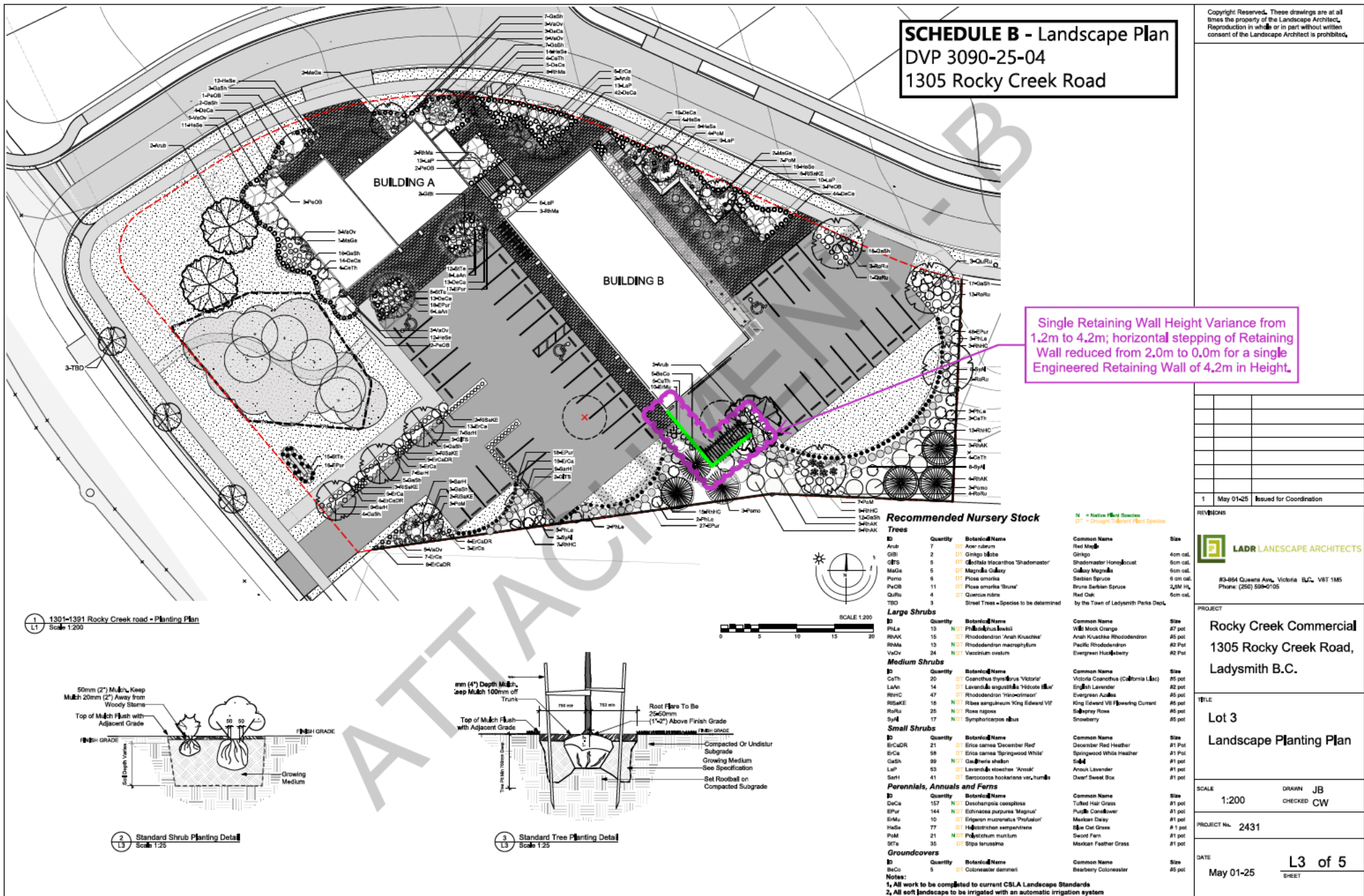
AUTHORIZED BY RESOLUTION NO. _____ PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH ON THE 3rd DAY OF JUNE 2025.



SCHEDULE A - Site Plan
DVP 3090-25-04
1305 Rocky Creek Road

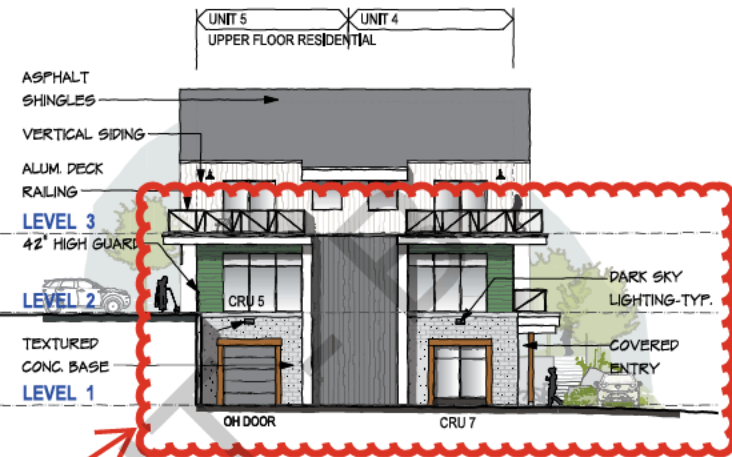
SITE PLAN
NOT TO SCALE

- NOTES**
- BASE INFORMATION HAS BEEN DERIVED FROM DOCUMENTS PREPARED BY OTHERS, VERIFY ALL CONDITIONS PRIOR TO CONSTRUCTION.
 - LANDSCAPE SHOWN IS REPRESENTATIONAL ONLY. REFER TO LANDSCAPE DESIGN FOR PLANT PALETTE AND DECORATIVE PAVING.
 - SEE FLOOR PLANS FOR BUILDING DIMENSIONS.
 - SEE CIVIL BY OTHERS.
 - SEE DP 24-06 FOR SITE DATA



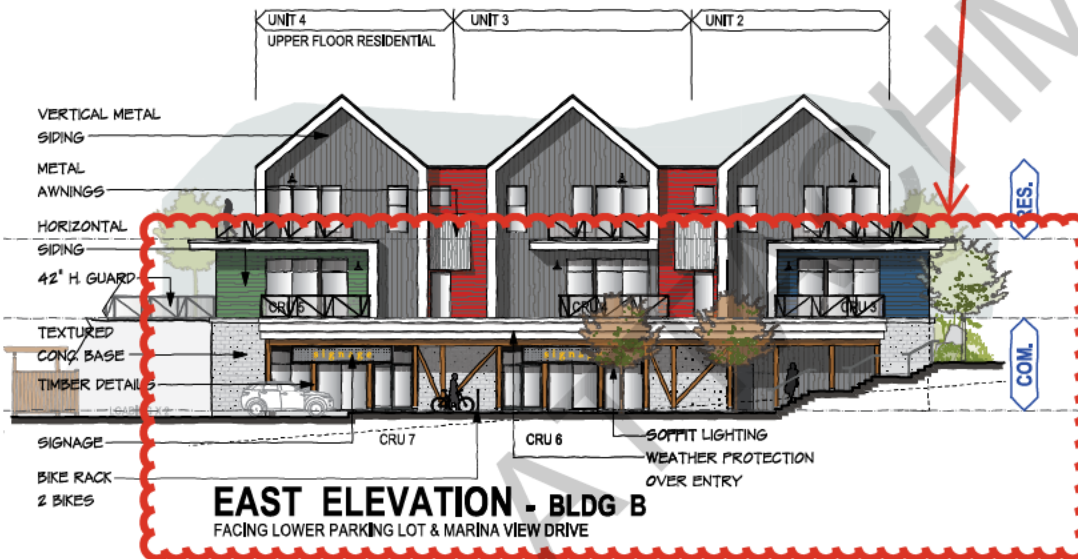


WEST ELEVATION - BLDG B
FACING MAIN LEVEL PARKING LOT & ROCKY CREEK ROAD
NOT TO SCALE



SOUTH ELEVATION - BLDG B
FACING LOADING AREA

Vary the permitted location of Commercial Use from only first storey to first and second storeys of building.



EAST ELEVATION - BLDG B
FACING LOWER PARKING LOT & MARINA VIEW DRIVE



NORTH ELEVATION - BLDG B

MATERIAL & COLOUR SCHEDULE					
1-METAL SIDING VERTICAL APPLICATION CHARCOAL GREY	1-BRICK CEMENT LAPPED SIDING HORIZONTAL APPLICATION BLUE	1-PAVING / F.G. PANELS WHITE TO MATCH METAL SIDING	1-WINDOW / DOOR FRAMES BLACK	1-ROOFING GREY	1-CEILING BLACK
2-METAL SIDING VERTICAL APPLICATION WHITE	2-BRICK CEMENT LAPPED SIDING HORIZONTAL APPLICATION RED	2-METAL AWNINGS VERTICAL CORRUGATED GALVALUME	2-TIMBER ACCENTS CEDAR	2-DECK RAILINGS BLACK	2-OVERHEAD DOORS DARK GREY
3-METAL SIDING VERTICAL APPLICATION GREEN	3-BRICK CEMENT LAPPED SIDING HORIZONTAL APPLICATION GREEN	3-CONCRETE BLOCK PLUMB TEXTURED NATURAL	3-CONCRETE BLOCK PLUMB TEXTURED NATURAL	3-CONCRETE BLOCK PLUMB TEXTURED NATURAL	3-CONCRETE BLOCK PLUMB TEXTURED NATURAL

SCHEDULE C - Elevation and Site Section Drawings
DVP 3090-25-04
1305 Rocky Creek Road
2 Pages

LOT 3
BLDG. B

PROPOSED DEVELOPMENT:
LOT 3 - 1305 ROCKY CREEK RD.
LADYSMITH, B.C.
CLIENT: FMC HOLDINGS LTD.

DRAWING TITLE:
SITE SECTION

SCALE:
AS NOTED

DRAWN BY:

C.M./B.B.

NUMBER:

1633.04.24

ISSUED:

INFORMATION:	24 SEPT 2024
DRAFT REVIEW:	25 OCT. 2024
PRE-APP MEETING	29 OCT. 2024
T.O.L:	
TO CONSULTANTS:	04 NOV. 2024
DPA REVIEW:	19 NOV. 2024
DPA REVIEW:	04 DEC. 2024
DPA:	17 DEC. 2024
DVP:	24 MAR. 2025

SEAL:

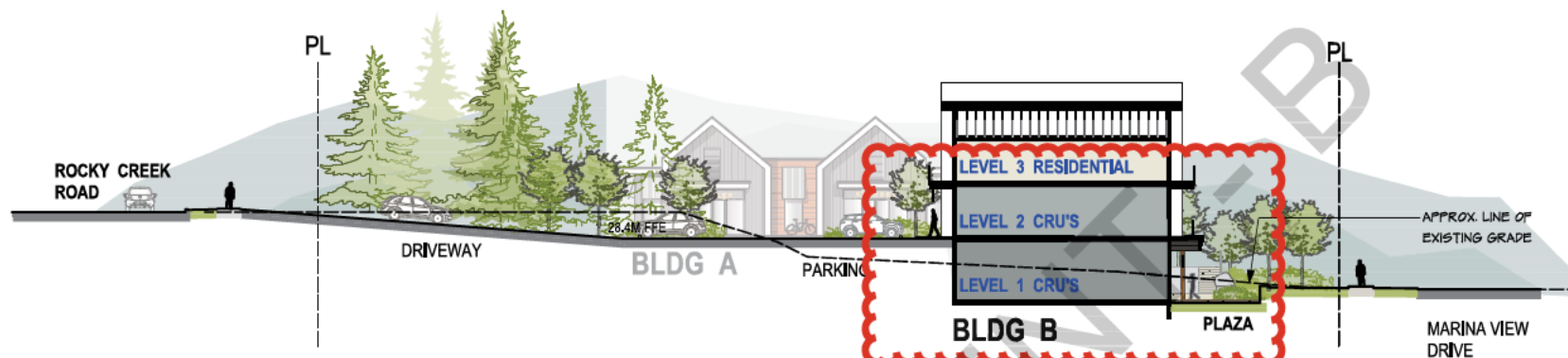


2025-03-25

CONTRACTOR TO VERIFY ALL LEVELS, SURVEY CONDITIONS, LOCATION OF BUILDINGS ON SITE AND LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL ORDINANCES.

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PAGE NO. **PR6.0**



SCHEMATIC SITE SECTION 1
NOT TO SCALE

Vary the permitted location of Commercial Use from only first storey to first and second storeys of building.



TOWN OF LADYSMITH DEVELOPMENT PERMIT

(Section 489 Local Government Act)

FILE NO: 3060-24-26

DATE: June 3, 2025

Name of Owner(s) of Land (Permittee): FMC Holdings Ltd., Inc. No. BC0852472

Applicant: Stefan Crucil (FMC Holdings Ltd.)

Subject Property (Civic Address): 1305 Rocky Creek Road/178 Marina View Drive

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 3, District Lots 86 and 98, Oyster District, Plan EPP137580

PID: 032-442-882

(1305 Rocky Creek Road/178 Marina View Drive)

(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 one commercial building and one mixed-use building, located within Development Permit Area 3 – Commercial and Development Permit Area 4 – Multi-unit Residential 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 varying the use or density of the Land specified in Zoning Bylaw 2014, No. 1860.
5. The Permittee, as a condition of the issuance of this Permit, agrees to:

- (a) Develop the Land in accordance with:

Schedule A – Site Plan

Schedule B – Building Elevations and Materials

Schedule C – Landscape Plan

Schedule D – Construction Waste Management Plan

attached to and forming the part of this Permit.

- (b) Provide high efficiency/water saving irrigation to landscaped areas.
 - (c) Provide at least two (2) electric vehicle charging stations.
 - (d) Provide secure indoor bicycle parking facilities to accommodate a total of thirteen (13) (six residential + seven commercial) long-term bicycle parking spaces, where at least one of the thirteen spaces is an oversized space, and at least seven of the thirteen spaces are within 1.5 metres of a 110V electrical outlet.
 - (e) Provide bicycle parking facilities to accommodate a total of six (6) (two residential + four commercial) short-term bicycle parking spaces, with at least one of the six within 1.5 metres of a 110V electrical outlet.
 - (f) Follow dark sky principles for all exterior lighting and ensure lighting does not produce glare or darkened spaces in other areas or contribute to light pollution.
 - (g) Incorporate plant material into the design of any retaining walls exceeding 1.2 metres in height to soften their appearance and perceived height.
 - (h) Onsite monitoring by a Landscape professional shall occur during landscape installation.
6. This Permit is issued on the condition that the Permittee has provided to the Town of Ladysmith security in accordance with section 502 of the *Local Government Act* to guarantee the performance of the conditions in section 5 of this Permit respecting landscaping. The security shall be for a period of **two years**, shall be automatically extended, and shall be payable upon the application of a Building Permit or prior to alteration of land; whichever occurs first. The amount of security shall be **\$258,614.80**.
7. Should the Permittee fail to satisfy the conditions referred to in section 5 and 6 of this Permit, the Town of Ladysmith may undertake and complete the works required to satisfy the landscaping conditions or carry out any construction required to correct the unsafe conditions, at the cost of the Permittee, and may apply the security in payment of the cost of the work, with any excess to be returned to the Permittee.
8. Requests for the release of the security shall be accompanied by a report from a professional landscape architect confirming that the landscaping conditions in section 5 of this Permit have been met.
9. Should there be no default as herein provided, or where a Permit lapses, the Town of Ladysmith shall return any security provided to the Permittee.

10. 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 (2) years of the date of this Permit as established by the authorizing resolution date, this Permit shall lapse.
11. For the purposes of section 10, 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.
12. The plans and specifications attached to this Permit are an integral part of this Permit.
13. 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.
14. 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 (3060-24-26) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
15. This Permit prevails over the provisions of the Bylaw in the event of conflict.
16. 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 3rd DAY OF JUNE 2025.

SCHEDULE A - Site Plan
DP 3060-24-26
1305 Rocky Creek Road

bjk
architecture inc.

2122 BRANDON RD. SHAWNIGAN LAKE BC
 TEL: 250-891-1602

PROPOSED DEVELOPMENT:
LOT 3 - 1305 ROCKY CREEK RD.
 LADYSMITH, B.C.
 CLIENT: FMC HOLDINGS LTD.

DRAWING TITLE:
SITE PLAN

SCALE:
 AS NOTED

DRAWN BY:
 C.J.M./ B.B.

NUMBER:
 1633,04,24

ISSUED:
 INFORMATION: 24 SEPT 2024
 DRAFT REVIEW: 25 OCT. 2024
 PRE-APP MEETING: 29 OCT. 2024
 T.O.J.:
 TO CONSULTANTS: 04 NOV. 2024
 DPA REVIEW: 19 NOV. 2024
 DPA REVIEW: 04 DEC. 2024
 DPA: 17 DEC. 2024
 T.O.J. REFORMAT: 13 MAR. 2025

SEAL:



- PEDESTRIAN CONNECTIONS
- PLAZAS - PATTERNED CONCRETE - SEE LANDSCAPE PLANS
- SHORT TERM BIKE RACKS
3 - 2 BIKE RACKS (6 BIKES TOTAL)
- LINE OF ROOT PROTECTION
- SIDEWALKS - SEE CIVIL
- TREE RETENTION AREA
- EV CHARGER
- 2M PEDESTRIAN CONNECTION TO STREET - PATTERNED CONCRETE

- PEDESTRIAN CONNECTIONS/ PLAZAS - PATTERNED CONCRETE
- CONC. SIDEWALKS-SEE CIVIL
- SEE LANDSCAPE DRAWINGS FOR PLANTING
- SEE DETAILS THIS PAGE FOR PARKING DIM./DETAILS
- EV CHARGER
- GARBAGE ENCLOSURE
SEE DETAIL THIS PAGE

SITE PLAN
 NOT TO SCALE

- NOTES**
- BASE INFORMATION HAS BEEN DERIVED FROM DOCUMENTS PREPARED BY OTHERS. VERIFY ALL CONDITIONS PRIOR TO CONSTRUCTION.
 - LANDSCAPE SHOWN IS REPRESENTATIONAL ONLY. REFER TO LANDSCAPE DESIGN FOR PLANT PALETTE AND DECORATIVE PAVING.
 - SEE FLOOR PLANS FOR BUILDING DIMENSIONS.
 - SEE CIVIL BY OTHERS.
 - SEE THIS PAGE FOR PARKING STALL DIMENSIONS.

CONTRACTOR TO VERIFY ALL LIMITS, LEVELS, SURVEY INFORMATION, LOCATION OF BUILDINGS ON SITE AND LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING BYLAWS.
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PAGE NO
PR2.0r



WEST ELEVATION - BLDG B

FACING MAIN LEVEL PARKING LOT & ROCKY CREEK ROAD
NOT TO SCALE



SOUTH ELEVATION - BLDG B

FACING LOADING AREA



EAST ELEVATION - BLDG B

FACING LOWER PARKING LOT & MARINA VIEW DRIVE



NORTH ELEVATION - BLDG B

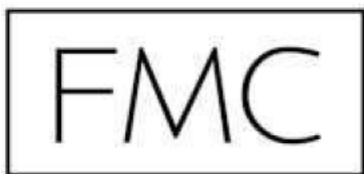
MATERIAL & COLOUR SCHEDULE					
1-METAL SIDING VERTICAL APPLICATION CHARCOAL GREY	1-TIMBER CEMENT LAPPED SIDING HORIZONTAL APPLICATION BLUE	1-PAVING / F.C. PANELS WHITE TO MATCH METAL SIDING	1-WINDOW / DOOR FRAMES BLACK	1-TIMBER ACCENTS CEDAR	1-ROOFING GREY
2-METAL SIDING VERTICAL APPLICATION WHITE	2-TIMBER CEMENT LAPPED SIDING HORIZONTAL APPLICATION RED	2-METAL AWNINGS VERTICAL CORRUGATED GALVALUME	2-CONCRETE BLOCK PLINTH TEXTURED NATURAL	2-DECK RAILINGS BLACK	2-OVERHEAD DOORS DARK GREY
3-METAL SIDING VERTICAL APPLICATION GREEN	3-TIMBER CEMENT LAPPED SIDING HORIZONTAL APPLICATION GREEN	3-METAL AWNINGS VERTICAL CORRUGATED GALVALUME			

SCHEDULE B - Building
Elevations and Materials
DP 3060-24-26
1305 Rocky Creek Road

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3 Standard Tree Planting Detail
L3 Scale 1:25



Construction Waste Management Plan

Revision: 00

Prepared By: Chris Wood

Date: 2025-01-16

Approved By: Stefan Crucil

This plan serves as a framework for managing waste effectively and should be tailored to the specific needs of your project and site conditions. Ensure ongoing compliance and continuous improvement throughout the project's duration.

Project Overview

Project Address	1305 Rocky Creek Road, Ladysmith, BC, V9G 1K4
Project Type	Commercial Construction
Project Description	Construction of multiple Commercial buildings
Waste Removal	DBL Disposal
Contact Info	250-751-8923

Plan Objectives

- Minimize the amount of construction waste sent to landfills
- Promote recycling and reuse of materials
- Ensure compliance with local waste management regulations
- Reduce environmental impact

SCHEDULE D - Construction
Waste Management Plan
DP 3060-24-26
1305 Rocky Creek Road
3 Pages

Waste Management Goals

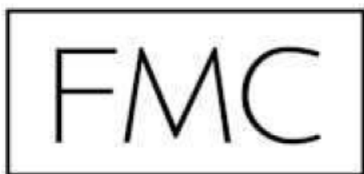
- Divert waste materials away from landfill and into appropriate recycling facilities
- Establish procedures for sorting and recycling waste materials
- Implement strategies for reducing waste generation

Waste Stream Identification

Waste Type	Waste Stream
Household garbage (plastic, food containers, office trailer garbage)	Animal-proof containers. Empty into designated DBL garbage bins.
Construction garbage (plastic, vinyl, abs, pvc, etc)	Designated DBL garbage bins.
Clean wood waste (untreated/unpainted lumber, offcuts)	Designated DBL wood bin.
Treated/painted wood waste	Designated DBL garbage bin.
Recyclables (bottles, cans)	Designated bins for recycling depot.
Office recycling (paper, cardboard)	Designated bins for recycling depot.

Waste Management Strategies

1. Reduction
 - a. Minimize waste in the design and procurement phases
 - b. Manage on site practices to minimize waste
2. Sorting and Segregation
 - a. Designate bins on site for different types of waste
 - b. Train new employees to avoid contamination



Construction Waste Management Plan

Revision: 00

Prepared By: Chris Wood

Date: 2025-01-16

Approved By: Stefan Crucil

3. Recycling

- a. Ensure waste goes into the appropriate stream. Allow for recycling where possible.

Hazardous Waste Management

- Follow FMC policies when there is any chance of encountering hazardous materials

Roles and Responsibilities

Role	Name	CWMP Responsibilities
Project Manager	Stefan Crucil	Oversee CWMP implementation and ensure compliance
Site Supervisor	Ben Danley	Monitor on site adherence to CWMP
Workers	Various	Follow handling, sorting, and disposal instructions
Waste Removal Consultant	DBL Disposal Services	Handle waste collection and removal from site

Training and Communication

- Conduct training at project start to clarify roles and responsibilities
- Familiarize all new workers and subcontractors with the site CWMP
- Clearly label waste bins

Monitoring and Reporting

- Waste Tracking: maintain records of waste quantities and types
- Regular Audits: Perform regular audits to ensure adherence to CWMP

Review and Improvement

- FMC office to regularly review and update this CWMP based on project needs and performance



Construction Waste Management Plan

Revision: 00

Prepared By: Chris Wood

Date: 2025-01-16

Approved By: Stefan Crucil

Acknowledgement

Employee Name	Signature	Date
Employee Name	Signature	Date
Employee Name	Signature	Date
Employee Name	Signature	Date
Employee Name	Signature	Date
Employee Name	Signature	Date
Employee Name	Signature	Date
Employee Name	Signature	Date
Employee Name	Signature	Date

Date: December 17, 24

To: Town of Ladysmith
Development Services

Attn: Andrew Wilson, Planner
Julie Thompson, Planner
Julia Tippet, Planner

**RE: DEVELOPMENT PERMIT APPLICATION, LOT 3 - 1305 ROCKY CREEK ROAD,
LADYSMITH B.C.,**

PROJECT DESCRIPTION:

This application is for the construction of a mixed-use development in a newly created subdivision on Rocky Creek Road. Two buildings will generate +/- 1,260 sq.m. of ground oriented leasable commercial space and six residential units.

ZONING / OCP DESIGNATIONS:

Zoning: Comprehensive Development 7- Rocky Creek Road, Mixed-Use Residential (CD 7)

OCP: DPA 3 Commercial / DPA 4 Multi-Unit Residential

SITE:

Notable features of this site include;

Corner lot bounded by Rocky Creek Road, Marina View Drive and a portion of the former Gladden Road.

The property is an irregular shape and has a stand of significant trees near mid point of the Rocky Creek Road frontage. This area is protected by covenant.

Topography slopes moderately downward from west to east. A steeper cut runs along the south boundary that formed the edge of the now closed Gladden Road. As part of the creation of this subdivision and road works, some rough grading has occurred.

Access to the site will be via both Rocky Creek Road and Marina View Drive.

SITE ORGANIZATION:

This application proposes two buildings: A single storey commercial use structure closest to the intersection of Marina View Drive and Rocky Creek Road. The second is a three-storey building of mixed residential and commercial units. This favours the eastern portion of the site.

The buildings are sited to maximize street presence, particularly along Marina View Drive, and are sufficiently distant from the stand of protected trees.

Topography is conducive to 'at grade' access to both building levels 1 and 2 (see site section).

A parking node is proposed from each of the fronting streets. These areas are partially screened from the street by the juxtaposition of the buildings and retained vegetation. Street facing outdoor spaces are developed as people friendly landscaped plazas. Pedestrian paths interconnect all aspects of the site.

Loading and refuse is to the side / rear of Building B and screened from public view.

CONTEXT:

As this is an early construction phase of the new subdivision, there is no immediate context. In a broader context, we have considered small scale light industrial uses to the west and the Oak Bay Marine Group marina and facilities as influences to the design.

We also consider the scale and compatibility of active applications for townhomes nearer the waterfront that evoke a contemporary, seaside village image.

DESIGN:

Drawing on the context, the design picks up on coastal images and building forms. Simple gabled roofs mimic nearby boathouses and a residential vernacular. The scale of the building remains small and is achieved with the separation of the buildings, the varied roof lines, small entrance canopies and extended wing walls.

MASS:

While one to three storey buildings are considered small buildings, the apparent height of Building B is reduced with the first level embedded in the slope effecting only a two-storey west façade. The east elevation is further reduced with a podium treatment of the lowest level, evident with the application of weightier form, materials (concrete block, timbers), and inseting of glazed commercial storefronts. Heavy timber work and fascia is a nod to pier type structures.

Canopies and roof decks provide weather protected outdoor spaces and suggest a stepped building form. The uppermost floor is smaller, lighter and inset from levels below.

GLAZING, ENTRIES, SIGNAGE:

Rooflines, canopies and glazing compositions make obvious points of entry and individuality of units. Typically, larger expanses of glass typify commercial uses. Proportionately smaller and strategically placed windows define residential character.

Signage opportunities for CRU's are integrated into timbered structure mounted to metal mesh panels.

MATERIALS AND COLOURS:

Exterior finish materials include:

- textured masonry
- heavy timbers
- metal cladding of different profiles and colours
- asphalt shingles

Application of these materials are strategically applied to reinforce previously described design concepts and selected for durability and to reflect the nature of the uses.

The colour palette consists of combinations of natural finishes and bold colours to accent and differentiate building elements to bring a brightness and playful feel to the project. Field and transitional surfaces are more muted.

ACCESS AND OUTDOOR SPACES:

A network of paths, sidewalks and plazas connect buildings, public sidewalks, parking nodes and amenity spaces. Buildings (via elevator) and outdoor amenities are all accessible.

Outdoor seating is incorporated in the landscape design. Plazas and patios are conducive to seasonal furnishing, invite outdoor activity and animate the street edge.

Parking is sufficient to comply with Bylaw requirements. Accessible stalls, E.V. charge stations, short term and secure bike storage are all provided.

SIGNS, CANOPIES & LIGHTING:

While not fully resolved, the lighting programme will incorporate unobtrusive soffit lights, and decorative wall mounted sconces combined with low level landscape lighting to ensure adequately lit paths of travel. All lighting is to be full cut off.

We trust the foregoing provides insight into some of the design concepts that have influenced this development proposal and trust it meets expectations for the Town of Ladysmith.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Brian Kapuscinski', written over a large, light grey diagonal watermark that says 'ATTACHMENT D'.

Brian Kapuscinski
Architect – AIBC

Date: 24 March 2025

To: Town of Ladysmith
Development Services

Attn: Vidhi Kyada, Planning Technician
Andrew Wilson, Planner

**RE: DEVELOPMENT Variance PERMIT APPLICATION, LOT 3 - 1305 ROCKY CREEK ROAD,
LADYSMITH B.C.,**

BACKGROUND AND SITE ORGANIZATION:

This development proposes two buildings: A single storey commercial use structure (building A) closest to the intersection of Marina View Drive and Rocky Creek Road. The second (building B) is a three-storey building of mixed residential and commercial units. This favours the eastern portion of the site.

The buildings are sited to maximize street presence, particularly along Marina View Drive. The stand of protected trees precludes development of the site immediately adjacent to Rocky Creek Road.

Building A has level access from the street and the internal parking node. Topography is conducive to 'at grade' access to Building B from both levels 1 and 2 (see site section).

Access to a parking node is proposed from each of the fronting streets. The upper node is partially screened from the street by the juxtaposition of the buildings and retained vegetation. Street facing outdoor spaces are developed as people friendly landscaped plazas. Pedestrian paths interconnect all aspects of the site.

Loading and refuse is to the side / rear of Building B and screened from public view.

VARIANCE RATIONALE:

Bylaw Reference as it pertains to Building B:

17.7 Comprehensive Development 7, Rocky Creek Road Mixed-Use Residential (CD7)

5. Size and Density of the Use of Land Buildings and Structures:

g) Commercial uses may only be located on the First Storey of a Building

Proposed Building B respects the characteristics of the site, specifically:

Topographically there is moderate slope downward from Rock Creek Road. The building is integrated into the site with the lowest storey exposed to the east.

With minimal site manipulation, finished grading effects level entry from both the Lower Floor (Level 1) and Main Floor (Level 2).

Exposed to more than one street (Rocky Creek Road and Marina View Drive) the building has two 'front facades'.

Commercial use is proposed for Level 1. The building features:

A façade reflecting intended uses.

Welcoming and weather protected elements with street presence (Marina View Drive).

A plaza that encourages activity, pedestrian movement and animates the street edge.

Shop fronts with level access.

High ceilings, signage opportunities and robust elements conducive to office CRU's.

Level 1 complies with Zoning Bylaw criteria.

Level 2 proposed use is also commercial, incorporates similar elements and principles with a similar effect but oriented to Rocky Creek Road. Building elements include well defined shop fronts on the west façade. Level 2 east façade is less commercial in nature, borrowing residential components (i.e. decks, railings, awnings and window compositions).

The net effect is that whether the building is approached from the east or west it is only the lowest level with a commercial vibe.

Level 2 requires a variance to accommodate its proposed use.

Level 3 is residential, elevating living by a storey for separation of public and private activity, common access, security, optimal views, and amenity spaces.

SUMMARY:

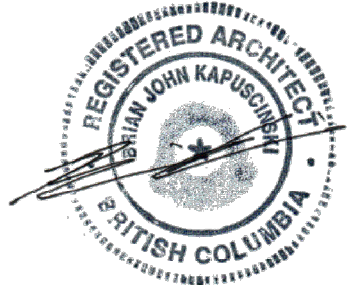
In light of site attributes, we suggest this design solution effectively considers the relationship of the building to fronting streets, is neighbourhood friendly, an appropriate suburban scale and is within the context of planning goals within the CD Zone.

We trust the foregoing provides insight into the design concepts that have influenced this development proposal and trust it meets expectations of the Town of Ladysmith.

Respectfully submitted for consideration,



2025-03-25
Brian Kapuscinski
Architect – AIBC



2025-03-25

REVIEW OF DEVELOPMENT PERMIT AREA GUIDELINES

The following table provide a summary of the consistency of the proposal for 1305 Rocky Creek Road with the Development Permit Area 3 – Commercial and Development Permit Area 4 – Multi-Unit Residential guidelines.

DPA 3 – Commercial

Table 1 summarizes the analysis of the applicant's proposal against the DPA 3 guidelines.

Table 1: Summary of DPA3 guidelines and staff comments

DPA 3 Guidelines	Staff Comments
1. Building Design	
Building Design in the aesthetic of the neo-traditional, Pacific Northwest or eco-responsive themes	<ul style="list-style-type: none"> Both the building within the proposal uses some neo-traditional elements such as multiple gable roofs and decks along the front and rear elevation of Building-B.
Modern design complements existing buildings	<ul style="list-style-type: none"> The proposed building design, exterior colours and materials does not imitate existing building typologies, materials or colours. It complements the proposed surrounding residential development.
2. Building Siting & Massing	
Respect character defining heights of neighbouring buildings	<ul style="list-style-type: none"> The proposed Building-A is single storey, and the Building-B is two-storey on front elevation and three-storey on the rear elevation. They do not overpower the proposed residential development.
Define street wall	<ul style="list-style-type: none"> The proposed buildings do not form a continuous street wall, however, the commercial units within both the buildings are connected to the plazas that forms a public amenity space.
Sensitive integration into the existing streetscape and neighbouring residential uses	<ul style="list-style-type: none"> The buildings have commercial units along the street with frequent entrances, display windows and a proper architectural rhythm. The proposal incorporates internal walkways through the parcel connecting Rocky Creek Road and Marina View Drive.
Adaptable internal configuration for commercial buildings	<ul style="list-style-type: none"> 2 of 6 residential units are adaptable. CRU's have accessible main entry and washrooms. Adaptability of interior layout will be addressed under separate permit for Tenant Improvements.
Design consideration for the corner buildings	<ul style="list-style-type: none"> The property is a corner lot. Both the buildings are oriented towards the interior side of the parcel as well as towards the Marina View Drive.
Respect the natural topography	<ul style="list-style-type: none"> The proposed buildings are stepped and blends with the natural topography.
Building sitting, height, roof forms, rooftop appearance	<ul style="list-style-type: none"> The property slopes down towards the Ladysmith Harbour and the proposed buildings will not impact viewsapes.

respect/protect views from higher properties	
Higher ceiling heights	<ul style="list-style-type: none"> • All the units have a higher ceiling height.
Maintain a positive relationship with the highway corridor	<ul style="list-style-type: none"> • The parcel elevation is below the highway elevation and the proposed buildings are stepped and blends with the natural topography.
Passive heating/cooling from landscaping	<ul style="list-style-type: none"> • There is a tree preservation area on the west and proposed trees like Red Oak, Shademaster Honey Locust and Red Maple on the south that can provide shade in warmer months.
Building frontage articulation and visually distinctive units.	<ul style="list-style-type: none"> • Building frontages are articulated and visually broken-up into smaller and distinctive units through the use of varying colours, finishes, projections and rooflines.
3. Roof Form	
Roofline modulation to add visual interest	<ul style="list-style-type: none"> • Building facades are articulated through the use of varying projections and rooflines modulations.
4. Windows & Doors	
Physical and visual permeability of front of buildings	<ul style="list-style-type: none"> • Large windows and glass doors/primary entrances are proposed along the building's façade to enhance visual and physical permeability.
Windows and doors proportional and distinct from the wall area	<ul style="list-style-type: none"> • Windows and doors are well proportioned in relation to the wall surfaces. • Architectural modulation, awnings and colour variations are provided to distinguish windows from wall surfaces.
Window compatibility with building style	<ul style="list-style-type: none"> • Windows are architecturally compatible with the proposed neo-traditional design of the building.
Storefronts that animate the street	<ul style="list-style-type: none"> • The proposed commercial spaces windows and entrances are large and allow for high permeability in the respective units. No blackout panels or darkened window glazing is proposed.
Use of recessed windows or prominent window trim, sills or lintels	<ul style="list-style-type: none"> • The windows and doors are recessed with projecting canopies. • Each entrance into the commercial space provides a visual interest to streetscape.
Repeated rhythm of storefronts compatible with entire façade	<ul style="list-style-type: none"> • The storefronts and entrance to the building provide a repeated rhythm and are consistently spaced along the front façade. These storefronts and entrances are integrated well into the façade design.
Clearly defined building entrances	<ul style="list-style-type: none"> • The storefront entrances are defined by the overhead canopies/weather protections. Soffit lightings are proposed above each door to emphasize the entrance locations and enhance visibility.
Doorways recessed from building wall	<ul style="list-style-type: none"> • Doorways at the front façade are recessed from the building wall to enhance visual interest of the streetscape and to define the entrances.
5. Signs, Canopies & Lighting	

Signs consistent with design and character of building	<ul style="list-style-type: none"> • Signage opportunities for CRU's are well integrated into building character by timbered structure mounted to metal mesh panels.
Free standing signs with lower profile	<ul style="list-style-type: none"> • Pylon signs have not yet been considered. The applicant expects this to be influenced by type and number of tenancies. They are agreeable to a low-profile design.
Weather protection for all the primary entrances	<ul style="list-style-type: none"> • The storefronts and entrances are articulated with the architectural projections and weather protections.
Lighting to illuminate sidewalks near buildings	<ul style="list-style-type: none"> • The low-level landscape lighting will be incorporated to ensure the sidewalks are lit adequately.
Concealed/decorative lighting fixtures	<ul style="list-style-type: none"> • The proposed lightings will integrate unobtrusive soffit lights, and decorative wall mounted sconces.
Dark sky principles should be applied	<ul style="list-style-type: none"> • Exterior lighting will be downcast, following "dark sky" principles and is a condition of DP 24-26.
6. Outdoor Patios	
Compatible and complementary relation with the streetscapes	<ul style="list-style-type: none"> • The commercial units within both the buildings are connected to the plazas that form an outdoor dining/sitting spaces. • These plazas along with the adjacent landscaping make the streetscapes active and vibrant along the Marina View Drive.
7. Materials & Colours	
Building materials should be durable and of high quality	<ul style="list-style-type: none"> • Exterior cladding consists of high quality and durable materials like fiber cement ("Hardie-board") lap siding, metal vertical siding, metal corrugated galvalume sheet and grey asphalt shingles for roof.
Materials and colours should be cohesive, sensitive, and ensure consistency and harmony with the surrounding buildings	<ul style="list-style-type: none"> • The buildings feature a neutral colour palette comprising gradient of grey and white, complemented by selective accents of vibrant colours such as red, blue, and green. These colours are cohesive with surrounding buildings and do not overpower the other buildings along the street.
Use of different colours	<ul style="list-style-type: none"> • The building's colour palette comprises a range of neutral tones, enhanced by three vibrant contrasting colors.
8. Mechanical, Electrical & Security Equipment	
Rooftop and grade level mechanical equipment should be screened	<ul style="list-style-type: none"> • Mechanical equipment is roof top mounted on flat roof areas between gabled elements. Additional screening is achieved with parapets and behind an elevator penthouse with no direct line of sight. • There is no mechanical equipment at grade.
Air vents, gas meters and other exterior mechanical should be away from public view and screened	<ul style="list-style-type: none"> • There is no gas service available. Venting is typically vertical and through roof assemblies.
9. Accessibility & Connectivity	
Buildings/sites are designed to be accessible to all users	<ul style="list-style-type: none"> • The proposed buildings have ground-level entries, and the pedestrian pathways provide access to all the principal entries.

Seamless and interesting pedestrian network through public and private walkways	<ul style="list-style-type: none"> • All the internal walkways are seamlessly connected to the public walkways along the Rock Creek Road and Marina View Drive. • The pedestrian network also provides direct access to the public plazas located on the rear of the buildings.
Connection of entrances with all the amenities	<ul style="list-style-type: none"> • All the building entrances are well connected with the parking area as well as the pedestrian walkways.
10. Vehicle & Bicycle Parking	
Vehicle parking on the rear or side of the building	<ul style="list-style-type: none"> • The required parking spaces are distributed across two locations: one at the front of the building and the other at the rear/side. The profile of the parcel does not allow the access to the parking from the rear/side street.
Screening for loading/ parking and visual enhancement	<ul style="list-style-type: none"> • The proposed landscaping surrounding the parking and loading areas is designed to provide visual enhancement as well as an effective screening from the adjacent residential areas.
Bicycle Parking	<ul style="list-style-type: none"> • There is a provision of Bicycle parking near the entrance and also at the rear of both the buildings.
Adequate areas for snow storage and drainage – drainage areas incorporated into features such as lawns, rain gardens or landscaping with suitable plants.	<ul style="list-style-type: none"> • Both parking areas have adjacent grassed areas for cleared snow storage.
11. Loading Facilities	
Street fronting loading areas should be avoided	<ul style="list-style-type: none"> • Loading facilities are located at the rear of the property by the side of building B.
Loading spaces designed to accommodate truck maneuvering, out of public view.	<ul style="list-style-type: none"> • The site topography will prevent loading area from being visible to public view from the entrance.
12. Landscape	
Site planning and design guided by preservation of existing trees, shrubs, groundcover, and other natural features	<ul style="list-style-type: none"> • The property has a tree retention area as a part of tree protection covenant conditions. All conditions of the covenant must be met prior to building or development.
Native and drought tolerant plants with seasonal colours	<ul style="list-style-type: none"> • New landscaping plantings consist of native and drought tolerant species.
Landscape for the part of the parcel not used for amenities	<ul style="list-style-type: none"> • The majority of the parcel is occupied by buildings, pedestrian walkways, public plazas and parking areas. The remaining portion is landscaped with variety of trees, shrubs, and perennials.
Landscape groundcover plants should be used rather than mulch, gravel, rocks or artificial turf.	<ul style="list-style-type: none"> • The proposed landscaping ground covers includes perennials like Tufted Hair Grass and Blue Oat Grass.
Design and materials used in fences and retaining walls should complement the building	<ul style="list-style-type: none"> • 1.8-metre-high Cedar wood fence is proposed along the South and East property line. The design complements building design and surrounding neighbourhood.

design and neighbourhood character	
Retaining walls should be terraced and landscaped	<ul style="list-style-type: none"> The proposed Armourstone retaining walls are terraced and screened with landscaping to avoid the visual impacts. The applicant has proposed 4.2 metres high textured concrete single retaining wall by the loading/garbage area and requested for a variance (DVP 25-04).
Landscape buffers should be provided as per Zoning Bylaw	<ul style="list-style-type: none"> A buffer of approx. 3.3 metres is provided along the east parcel line abutting the multi-family residential use.
Location of shade trees should consider orientation of parking areas	<ul style="list-style-type: none"> The larger canopy shade trees are proposed as per parking orientation.
Landscaping that does not require permanent irrigation is encouraged	<ul style="list-style-type: none"> All the soft landscape is to be irrigated with an automatic irrigation system.
Monetary security	<ul style="list-style-type: none"> DP 24-26 requires a bond of \$258,614.80 to ensure the soft and hard landscaping is carried out in accordance with the landscape plan.
Landscaping standards	<ul style="list-style-type: none"> A landscape plan for the site has been prepared by a Landscape Architect and conforms to the current BC Landscape Standard.
Onsite Monitoring	<ul style="list-style-type: none"> Onsite monitoring should be undertaken by a landscaping professional during installation is a condition of DP 24-26.
Release of landscaping security to be accompanied by a report	<ul style="list-style-type: none"> A report from the Landscape Architect is required prior to release of the required landscape security.
13. Energy Conservation and Greenhouse Gas Emissions Reduction	
Greater floor to ceiling heights where possible	<ul style="list-style-type: none"> All the proposed CRUs have a high ceiling and have exterior walls on two sides for adequate day-lit from windows.
Passive Design Strategies	<ul style="list-style-type: none"> The location of windows and the floor plan layouts maximize natural light and natural ventilation. Numerous trees are proposed in the landscape plan which will provide some shading to the proposed buildings. Roof overhangs are proposed for all the windows to provide shade.
Construction waste management plan	<ul style="list-style-type: none"> A construction waste management plan forms a part of DP 24-26.
14. Rainwater Management	
Integrated rainwater management	<ul style="list-style-type: none"> As per section 5 of the civil servicing report by Cascara, the Rainwater management plan will not need to store/infiltrate the runoff due to the proximity to the ocean, so collecting and directing to the storm drain is sufficient.
Surface treatments	<ul style="list-style-type: none"> Concrete paving is proposed for walkways, asphalt parking lot and remainder of lot covered in grass and other landscaping elements.
15. Water Conservation	

High-efficiency, water-saving automatic irrigation systems	<ul style="list-style-type: none"> All the soft landscape is to be irrigated with an automatic irrigation system.
16. Recycling, Organics & Solid Waste Management	
Recycling, organics and solid waste	<ul style="list-style-type: none"> The proposed outdoor waste collection is located away from public view and well-integrated in the site design. It is enclosed and screened with pergola.
17. Safety	
Building and site features should express ownership and boundaries, avoiding confined, dark, isolated spaces	<ul style="list-style-type: none"> The proposed use of various paving materials and luminated walkways improves visibility as well as defines ownership. No fencing is proposed that would add to isolation of the spaces.
Consider visibility, light, and openness to maximize ability to see throughout the site.	<ul style="list-style-type: none"> The placement of windows on all elevations provides visual access to all the areas of the property.
Appropriate exterior lighting should be provided that doesn't create darkened spaces	<ul style="list-style-type: none"> Low level landscape lighting adequately lit the walkways. Lighting will be set to appropriate levels as to not create glare and darkened spaces in other areas. Streetlights also line on the front and side property line.
Encourage activities in public spaces by locating outdoor uses in complementary arrangements	<ul style="list-style-type: none"> The proposal proposes complementary outdoor seating to the business in public space (plaza).
18. Public Realm	
Improvements to the private and public interface	<ul style="list-style-type: none"> The old trees on the Rocky Creek Road will be preserved. The proposed gathering spaces, public plazas, walkways and outdoor restaurant/café seating are well connected with the Marina View Drive and enhances the street. Seasonal furnishing is proposed for the plazas and patios. All the outdoor amenities are accessible.
Sequencing and timing of development may be specified in the DP to reduce impacts to the public realm and surrounding properties	<ul style="list-style-type: none"> Specific sequencing of the development is not proposed.
19. Neighbourhood Commercial	
Respect character of neighbouring buildings and a predominantly residential character	<ul style="list-style-type: none"> The proposed commercial buildings are of low heights, complimenting the surrounding neighbourhood development and contributing to a residential character.
Multi-use buildings are encouraged	<ul style="list-style-type: none"> Building-B is a mixed-use building comprising commercial spaces on the lower floors and residential units on the upper level.
Massing, roof forms and window proportions of upper level	<ul style="list-style-type: none"> Both the building within the proposal uses some neo-traditional elements such as multiple gable roofs and decks along the front and rear elevation of Building-B reflecting a residential character.
Adequate storage, parking, loading and bicycle facilities	<ul style="list-style-type: none"> The proposal meets all the requirements of the Zoning Bylaw.

Sign should be pedestrian oriented, handcrafted and illuminated with raised or incised letters	<ul style="list-style-type: none"> • Signage opportunities for CRU's are well integrated into building character by timbered structure mounted to metal mesh panels.
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DPA 4 – Multi-Unit Residential

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
1. Building Design	
Buildings complement form, massing, and scale of residential buildings within the neighbourhood	<ul style="list-style-type: none"> • The proposed Building-A is single storey, and the Building-B is two-storey on front elevation and three-storey on the rear elevation. They do not overpower the proposed residential development.
Buildings should incorporate current construction technology and design, complement but not imitate existing building design	<ul style="list-style-type: none"> • The proposed development includes new/modern design elements, materials and complements to the existing buildings.
Multi-unit residential buildings should be designed as neo-traditional, Pacific Northwest or eco-responsive themes	<ul style="list-style-type: none"> • See comments in Table 2 – Summary of DPA 3 guidelines.
Building designs should not be repeated on the same street	<ul style="list-style-type: none"> • The building design is not repeated elsewhere on the street.
2. Building Siting & Massing	
Respect character defining heights of neighbouring buildings	<ul style="list-style-type: none"> • The proposed buildings are two and three storeys. • Adjacent properties are zoned C-4 and I-1, which permits height principal buildings of up to 10.0 metres and 12.0 metres respectively. So, the proposed height will not overpower existing buildings in the neighbourhood.
Subtle variations in building height and massing	<ul style="list-style-type: none"> • Building-A is two storeys on the Marina View Drive, while Building-B appears as a three-storey building from the same road due to its stepped design accommodating the site's topography.
Design consideration for the corner buildings	<ul style="list-style-type: none"> • See comments in Table 2 – Summary of DPA 3 guidelines.
Passive heating/cooling from landscaping	<ul style="list-style-type: none"> • See comments in Table 2 – Summary of DPA 3 guidelines.
3. Building Frontage	
Building frontage articulation and visually broken-up into smaller, distinctive units	<ul style="list-style-type: none"> • See comments in Table 2 – Summary of DPA 3 guidelines.
Building façades modulation	<ul style="list-style-type: none"> • Façades are appropriately modulated using changes in materials, finishes and colours. • Overhangs at front and rear of buildings provide protection from weather and offer visual detail.

Building Orientation	<ul style="list-style-type: none"> Buildings are oriented to front parcel line (Rocky Creek Road) and exterior parcel line (Marina View Drive).
Architectural corner features	<ul style="list-style-type: none"> Building-B includes a corner deck for the residential units on the upper floor to add visual interest.
4. Roof Form	
Roofline modulation to add visual interest	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
5. Windows & Doors	
Clearly defined building entrances	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
Doorways recessed from building wall	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
Window compatibility with building style	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
Use of recessed windows or prominent window trim, sills or lintels	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
6. Signs, Canopies & Lighting	
Signage compatibility with style, composition materials, colours, and decorative detail of building – no internal illumination	<ul style="list-style-type: none"> Signage opportunities for CRU's are well integrated into building character by timbered structure mounted to metal mesh panels.
Weather protection for primary entrances	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
Lighting to illuminate sidewalks near buildings	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
Dark sky principles should be applied	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
7. Liveability	
Privacy of interior living spaces should be maintained through the orientation	<ul style="list-style-type: none"> Residential units are not located on the first storey.
Mitigation of noise impacts of highways/arterial roads through building and site design	<ul style="list-style-type: none"> The adjacent roadway, Rocky Creek Road and Marina View Drive have low traffic speeds and should not cause significant noise. It is not anticipated that noise impacts from the highway will be at unreasonable levels. The building design is to meet the current BC Building Code standards, including any applicable sound insulation standards.
Private outdoor living spaces for each dwelling unit	<ul style="list-style-type: none"> Each unit has its own private deck.
Sequencing and timing of development may be specified in the DP to reduce impacts to the public realm and surrounding properties	<ul style="list-style-type: none"> Specific sequencing of the development is not proposed.
8. Materials & Colours	
Building materials should be	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.

<p>• durable and of high quality</p> <p>Materials and colours should be cohesive, sensitive, and ensure consistency and harmony with the neighbourhood</p>	<ul style="list-style-type: none"> • See comments in Table 2 – Summary of DPA 3 guidelines.
9. Mechanical, Electrical & Security Equipment	
<p>Rooftop and grade level mechanical equipment should be screened</p>	<ul style="list-style-type: none"> • See comments in Table 2 – Summary of DPA 3 guidelines.
<p>Air vents, gas meters and other exterior mechanical should be away from public view and screened</p>	<ul style="list-style-type: none"> • See comments in Table 2 – Summary of DPA 3 guidelines.
10. Accessibility & Connectivity	
<p>Buildings/sites are designed to be accessible to all users</p>	<ul style="list-style-type: none"> • See comments in Table 2 – Summary of DPA 3 guidelines.
<p>Seamless and interesting pedestrian network through public and private walkways</p>	<ul style="list-style-type: none"> • See comments in Table 2 – Summary of DPA 3 guidelines.
<p>Connection of entrances with all the amenities</p>	<ul style="list-style-type: none"> • See comments in Table 2 – Summary of DPA 3 guidelines.
11. Vehicle & Bicycle Parking	
<p>Vehicle parking on the rear or side of the building</p>	<ul style="list-style-type: none"> • See comments in Table 2 – Summary of DPA 3 guidelines.
<p>Surface parking paving materials delineate parking and pedestrian areas</p>	<ul style="list-style-type: none"> • The Plan indicates 2 different paving materials/colour will be used to differentiate parking areas from pedestrian areas.
<p>Screening for loading/ parking and visual enhancement</p>	<ul style="list-style-type: none"> • See comments in Table 2 – Summary of DPA 3 guidelines.
<p>Electric vehicle charging equipment (1 per 20 spaces)</p>	<ul style="list-style-type: none"> • The zoning bylaw requires 41 parking spaces. • The proposal is equipped with 2 EV chargers: one in the upper parking lot and the other in the lower parking lot.
<p>Bicycle Parking</p>	<ul style="list-style-type: none"> • See comments in Table 2 – Summary of DPA 3 guidelines.
<p>Adequate areas for snow storage and drainage – drainage areas incorporated into features such as lawns, rain gardens or landscaping with suitable plants.</p>	<ul style="list-style-type: none"> • See comments in Table 2 – Summary of DPA 3 guidelines.
12. Landscaping	
<p>Site planning and design guided by preservation of existing trees, shrubs, groundcover, and other natural features</p>	<ul style="list-style-type: none"> • See comments in Table 2 – Summary of DPA 3 guidelines.
<p>Disturbed natural areas restored to replicate the natural setting</p>	<ul style="list-style-type: none"> • The proposed Landscape Plan replicates the characteristic of trees and vegetation planted in an organic cluster pattern.
<p>Landscape for the part of the parcel not used for amenities</p>	<ul style="list-style-type: none"> • See comments in Table 2 – Summary of DPA 3 guidelines.

Only lawn in the landscape design is prohibited	<ul style="list-style-type: none"> The Landscape Plan indicates various uses of trees, shrubs and ground covers.
Retaining walls should be terraced and landscaped	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
Concrete retaining walls should include textured concrete	<ul style="list-style-type: none"> The concrete retaining wall near the loading/garbage facility is textured and will be screened with planting materials. It is also a condition of a DP 24-26.
Design and materials used in fences and retaining walls should complement the building design and neighbourhood character	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
Surface parking areas and storage areas located in close proximity to abutting properties should be screened from view	<ul style="list-style-type: none"> The proposed landscaping surrounding the parking and loading areas is designed to provide visual enhancement as well as an effective screening from the adjacent residential areas.
Native and drought tolerant plants	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
Landscape groundcover plants should be used rather than mulch, gravel, rocks or artificial turf.	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
Integrated Pest Management (IPM) measures are encouraged for landscape maintenance	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
Landscape buffers and shade tree requirement	<ul style="list-style-type: none"> The proposal meets the landscape buffer and shade trees requirements in the Zoning Bylaw.
Landscaping that does not require permanent irrigation is encouraged	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
Monetary security	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
Landscaping standards	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
Monitoring	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
Release of landscaping security to be accompanied by a report	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
13. Energy Conservation and Greenhouse Gas Emissions Reduction	
Greater floor to ceiling heights where possible	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
Passive Design Strategies	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
Construction waste management plan	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
14. Rainwater Management	
Integrated rainwater management	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
Surface treatments	<ul style="list-style-type: none"> See comments in Table 2 – Summary of DPA 3 guidelines.
15. Water Conservation	

High-efficiency, water-saving automatic irrigation systems	• See comments in Table 2 – Summary of DPA 3 guidelines.
Innovative wastewater management systems	• See comments in Table 2 – Summary of DPA 3 guidelines.
16. Recycling, Organics & Solid Waste Management	
Recycling, organics and solid waste	• See comments in Table 2 – Summary of DPA 3 guidelines.
17. Safety	
Building and site features should express ownership and boundaries, avoiding confined, dark, isolated spaces	• See comments in Table 2 – Summary of DPA 3 guidelines.
Consider visibility, light, and openness to maximize ability to see throughout the site.	• See comments in Table 2 – Summary of DPA 3 guidelines.
Appropriate exterior lighting should be provided that doesn't create darkened spaces	• See comments in Table 2 – Summary of DPA 3 guidelines.
Encourage activities in public spaces by locating outdoor uses in complementary arrangements	• See comments in Table 2 – Summary of DPA 3 guidelines.

STAFF REPORT TO COUNCIL

Report Prepared By: Vidhi Kyada, Planning Technician
Reviewed By: Jake Belobaba, RPP, MCIP, Director of Development Services
Meeting Date: June 3, 2025
File No: 3340-25-03
RE: Temporary Use Permit – 930 Ludlow Road

RECOMMENDATION:

That Council approve Temporary Use Permit 3340-25-03 for Lot 2, District Lot 24, Oyster District, Plan 45800, Except that part in Plan VIP73654 and Plan EPP71248 (930 Ludlow Road) to allow Tourist Accommodation as a temporary use in a caretaker dwelling.

EXECUTIVE SUMMARY:

The purpose of this report is to introduce a proposal to allow a Short-Term Rental (STR) in a caretaker dwelling at 930 Ludlow Road for Council consideration. The proposed use requires a Temporary Use Permit (TUP) to authorize the use of the dwelling as a STR.

PREVIOUS COUNCIL DIRECTION:

Resolution	Meeting Date	Resolution Details
CS 2025-096	April 15 th , 2025	That Council give third reading and adopt "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205." <i>Motion Carried</i>
CS 2025-084	April 1 st , 2025	That Council: <ol style="list-style-type: none"> Having considered section 475 of the <i>Local Government Act</i>, and in particular the matters set out in subsections (2)(A) and (b), resolve that: <ol style="list-style-type: none"> 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"; Consultation should be early but need not be ongoing; 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 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; Give first and second readings to "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205";

		<ol style="list-style-type: none"> 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 <i>Local Government Act</i>; 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 <i>Local Government Act</i>; 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. <p><i>Motion Carried</i></p>
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INTRODUCTION/BACKGROUND:

Subject property

The subject property is a 4,532.5 square metre parcel located at 930 Ludlow Road. The property is currently designated Industrial under the Official Community Plan (OCP) and zoned Light Industrial (I-1) under the Zoning Bylaw. The property is currently occupied by a gas station near the intersection of Ludlow Road and Oyster Bay Drive and contains a vehicle wash service building with an office and caretaker dwelling towards the eastern property line. The caretaker dwelling was issued an occupancy permit in December 2004. Staff are not aware of any unpermitted alterations to the home, and therefore no renovations are required to bring the dwelling unit into compliance with the BC Building Code. The dwelling unit has been listed on AirBnB for the past three years.

Adjacent land uses include the following:

- Northeast: Western Forest Products, Ladysmith Marine Service and Harbour.
- Southeast: Madill Office and Warehouse.
- Southwest: Junction Bottle Depot, the print shop, and Ladysmith Motorsports on the Oyster Bay Drive.
- Northwest: Home Hardware Building Centre.

The subject property is approximately 550 metres (7-minute walk) from the 1st Avenue Transit Stop at Tim Hortons and 180 metres (3-minute walk) from the Fisherman’s Wharf Trail on the waterfront.

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

Existing Short-Term Rental Regulations

The nightly rental of dwelling units is currently limited to the C-2, C-4, CD-7 zones and certain areas of the A-RR zone. Some residential zones (RU-1, R-1, R-2, R-2-B) permit the nightly rental of up to four guest rooms within a single unit dwelling as a bed and breakfast. Rooms in bed and breakfasts are not allowed to contain kitchens or

kitchenettes and are not permitted on properties where there is already a secondary suite, coach house, two-unit dwelling, or a multi-unit dwelling.

The short-term rental of an entire dwelling unit for the nightly accommodation of paying guests has never been permitted in the Town of Ladysmith outside of zones permitting Tourist Accommodation as a use. A business license has always been required to operate Tourist Accommodations and Bed and Breakfasts.

The Short-Term Rental Accommodations Act

In late 2023, the Province of British Columbia enacted the *Short-Term Rental Accommodations Act* (STRAA) to strengthen regulations and enforcement for STRs and increase protections for long-term rental housing. The STRAA applies to STRs listed on vacation rental platforms and other websites, such as AirBnB, VRBO, Facebook Marketplace, Kijiji, and Craigslist. As part of the legislation, the Province requires that each STR host display a valid business licence number on their listing wherever a business licence is required by the local government. STR Platforms are required to share listing data with the Province every month, which in turn is shared with participating municipalities through the Short-Term Rental Data Portal ("STR Portal").

The STRAA also requires all STRs to register with the Province by May 1st, 2025. STR platforms are required to remove advertisements and prevent new bookings of STRs without valid provincial registration numbers on June 2nd, 2025, and platforms must cancel all existing reservations for unregistered STRs after June 23rd, 2025. Operating a STR without a valid registration number may also result in fines and/or tickets for the operator.

Ladysmith STR TUP Program

Council adopted Bylaw No. 2205 on April 15th, 2025, which amended the OCP to establish Temporary Use Permit guidelines to allow a limited number of TUPs for STRs outside of permitted zones, provided that the dwelling unit is a permitted use.

Council also authorized staff on April 1, 2025 to begin accepting and processing TUP applications prior to adoption of Bylaw No. 2205. This application was received on April 23rd, 2025, after the adoption of Bylaw No. 2205.

PROPOSAL:

The proposed TUP will permit Tourist Accommodation as a temporary use in the caretaker dwelling on the Subject Property. Conditions on the proposed TUP include a requirement for on-site parking for guests, at least 60 bookings per year under normal market conditions, and a valid business license.

The STR at 930 Ludlow Road was booked for 109 nights in the last twelve months.

The list below provides a breakdown of the features of the proposed STR:

- One bedroom and a pull-out couch in the living room.
- A kitchen, including a full-sized refrigerator, gas stove, oven, coffee maker, microwave oven, kitchen sink, toaster, and cabinets.
- 58 inch HDTV in the living area.

- Washing machine and dryer.
- Private balcony space with seating.
- Harbour and marina view from an outdoor amenity area.
- Within a 10-minute walk to shopping and services in the Downtown and a 3-minute walk to the waterfront.

To allow the proposed Short-Term Rental at 930 Ludlow Road, a Temporary Use Permit (TUP) must be approved by Council. The owners have not yet submitted a business licence application. A business licence is required prior to the authorized operation of the STR.

No development or changes to the building are proposed.

Attachment B includes a draft of the proposed Temporary Use Permit 3340-25-03. A Site Plan of the subject property is provided as Attachment C.

ANALYSIS:

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

Zoning Bylaw

The subject property is zoned Light Industrial – I-1 which permits caretaker dwelling as an accessory use. However, the proposed STR does not meet the zoning regulations because Tourist Accommodation (STR) and Bed and Breakfast are not permitted accessory uses in this zone. As such, the owners have applied for a TUP to allow a STR within a caretaker dwelling.

Official Community Plan

The subject property is designated as Industrial within the OCP. This land use designation generally encourages a range of industrial and light industrial uses and limited commercial uses.

Some key OCP objectives include the following:

- Create 10-minute neighbourhoods.
- Make active transportation the easiest and most enjoyable way to get around.
- Increase housing diversity and affordability.
- Support for Tourism and Economic Development.

Housing affordability and creating active and connected neighbourhoods are priorities within the OCP. These priorities should be considered when determining whether allowances for STRs will enhance the Town's vision without adversely impacting other key objectives such as increasing the attainability of affordable, diverse housing.

Table 1, included below, highlights existing and proposed policies relating to the provision of STR accommodation within Ladysmith and staff comments connecting the policies to the proposed STR TUP.

Table 1 - OCP Policy Analysis

OCP Policy Category and Policies	Comments
Part C: 3. Policies	
Diverse & Affordable Housing	
3.14. Monitor the impact of STR accommodation on long-term rental housing supply. Consider the Short-Term Rental recommendations of CVRD's Workforce Housing Strategy (2022).	The TUP program for STRs was designed to align with the CVRD's Workforce Housing Strategy from 2024. This Strategy includes actions encouraging member municipalities of the Cowichan Valley Regional District to provide opportunities for STRs through TUPS or rezoning applications, with special consideration being given to the needs of temporary worker housing and the tourism industry. Bylaw No. 2205, noted above, incorporated OCP policies for issuing TUP's and considering rezoning applications for STR's
"OCP Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205"	
Part C. Policy 3.14	
3.14 Where Short-Term Rentals are not permitted under the Zoning Bylaw: <ul style="list-style-type: none"> Council may issue Temporary Use Permits (TUPs) 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 STR outweighs the loss of housing. 	This proposal is for a Temporary Use Permit and the guidelines of the proposed schedule A.2 are applied to the proposed STR in Table 2. A Temporary Use Permit is required to allow the STR on this property because the rental area would be contained within a caretaker dwelling. Council may choose to approve the proposed TUP, approve an amended recommendation, or deny the proposal.

The new policies outlining the objectives and guidelines for Temporary Use Permit applications for STR's in the OCP outlines the following objectives:

1. To limit STRs in Ladysmith until rental vacancy rates are consistently at or above 3%.
2. To allow Temporary Use Permits for STRs 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 STRs on the housing market.

Table 2 provides an analysis of the STR TUP guidelines in relation to the proposed STR at 226 Buller Street.

Table 2 - STR TUP Guideline Analysis

STR TUP Guidelines	Staff Comments
1. Number of TUPs issued based on the average CMHC's Rental Market Survey for Ladysmith for the preceding two years: <ul style="list-style-type: none"> 0 TUPs at a 0% residential vacancy rate. Up to 5 TUPs at a 0 - 1% vacancy rate. Up to 10 TUPs at a 1 - 2% vacancy rate. No restrictions on the number of TUPs at a vacancy rate of 3% or higher. 	<ul style="list-style-type: none"> The current average residential vacancy rate is 2.0%. Thus, up to 10 TUPs for STR (STR) allowances may be issued. Only one other TUP for an STR has been issued.

<p>2. STRs should not be provided in more affordable housing units (tend to serve populations in greater need of housing, e.g., suites, apartments, older housing stock).</p>	<ul style="list-style-type: none"> • The proposed STR is located within a legal caretaker dwelling in the Northern Industrial area of Town. • Because the proposed STR is located inside a caretaker dwelling in the Industrial area, making it less likely that issuing a TUP would result in a loss of affordable rental housing. • The STR will provide ideal accommodation for both boaters, due to its close proximity to the Oyster Bay Marina and a boat launch, and for travelling workers from outside Ladysmith employed in the nearby marina and industrial areas.
<p>3. Notwithstanding guidelines 1 and 2, TUPs may be issued where the applicant can demonstrate:</p> <ol style="list-style-type: none"> a. The STR will be limited to rentals for workers temporarily working in Ladysmith; or b. The STR provides a unique, high-quality tourism offering within a ten-minute walk of Ladysmith's waterfront or Downtown. 	<ul style="list-style-type: none"> • The proposed STR is a seven-minute walk (550 metres) from the edge of the Downtown and 1st Avenue, and a three-minute walk (180 metres) from the waterfront. • Some nearby shops and services include Fisherman's Wharf (350m), Home Hardware (400 m), The Machine Shop (600m), Country Grocer (700 m), Oyster Bay Marina (750m), Ladysmith Health Care Auxiliary Thrift Store (900 m), Vancouver Island Regional Library (1 km), Ladysmith Museum (1 km), and Transfer Beach (1.2 km). • The proposed STR provides some amenities including a small outdoor amenity space and a waterfront view. However, the interior of the unit appears similar to that of a standard dwelling unit.
<p>4. STR should not provide redundant accommodation products that would otherwise be available in the conventional accommodation market.</p>	<ul style="list-style-type: none"> • Similar tourist accommodations are limited in and near the downtown.
<p>5. STR should accommodate guest parking on site.</p>	<ul style="list-style-type: none"> • The proposed STR will provide 2 off-street parking space for guest parking. • The subject property has a large open space that can accommodate the off-street parking requirements as well as some additional parking for trailers and boats.
<p>6. STRs should not generate nuisance for neighbouring properties and should have noise mitigating features and policies.</p>	<ul style="list-style-type: none"> • The operation of a STR at the subject property is not anticipated to generate a nuisance for neighbouring properties because the subject property is 200-meters away from the closest homes.
<p>7. The layout, form, and function of proposed STRs should ensure a comfortable, memorable and convenient guest experience, including:</p> <ol style="list-style-type: none"> a. A cohesive design theme incorporating colour schemes, furniture styles, and decorative elements. b. Privacy and ease of movement into and within the STR. 	<ul style="list-style-type: none"> • The STR includes standard kitchen appliances and furniture. • The STR is arranged in a way that promotes privacy and movement into and throughout the rental space. • The rental has standard ceiling heights (2.1m). The kitchen/living area is open concept, albeit not exceedingly spacious. • The proposed STR would have access to limited on-site amenities, including an outdoor

<ul style="list-style-type: none"> c. A spacious and well-designed layout with adequate ceiling heights 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 (e.g., full-sized appliances in a “work triangle”, sufficient storage, small appliances and groceries, and task and ambient lighting). Small kitchens and galley kitchens are generally discouraged. f. Divided work and living areas to support use by the travelling workforce. 	<p>seating area with a view of the ocean. Off-site amenities include a boat launch, Oyster Bay Marina, Machine Shop, 1st Avenue (seven-minute walk), Aggie Field (seven-minute walk), a bus stop, and a seventeen-minute walk to Transfer Beach.</p> <ul style="list-style-type: none"> • The STR's kitchen is sufficiently functional and lit (with natural and artificial lighting). The kitchen is arranged in L-shape with the refrigerator and sink arranged next to one another and a stove on the other side. An island counter can serve as both a food preparation space and dining area. There is dishwasher in the STR. • There is a dedicated workplace near the unit entrance.
<p>8. STR 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 licence.</p>	<ul style="list-style-type: none"> • The proposed STR would be operated within a caretaker dwelling, which received an occupancy permit on December 13, 2004. • The Building Department inspected the suite on May 22nd, 2025. No unpermitted construction or concerns with the caretaker dwelling's compliance with the BC Building Code were noted.
<p>9. TUPs may include conditions to mitigate the loss of housing stock caused by converting the residential unit to a STR, such as contributions to the Town's affordable housing reserve.</p>	<ul style="list-style-type: none"> • Due to the proximity to downtown, staff believe the benefit to local tourism outweighs the temporary loss of a caretaker dwelling unit to STR and no additional conditions, such as contributions to the Town's affordable housing reserve, are recommended to mitigate the temporary loss of housing stock.
<p>10. STRs should be booked for a minimum of 60 days per year under normal market conditions. TUPs may include conditions requiring a minimum number of bookings per year.</p>	<ul style="list-style-type: none"> • Staff included a condition in the TUP that the STR must be booked for a minimum of 60 days per calendar year to ensure it does not remain vacant and fails to contribute to local tourism or temporary workforce housing. • On the Province's Short-Term Rental Data Portal, 930 Ludlow Road is shown to have been booked for a total of 109 nights in the last twelve months.
<p>11. STRs should be available year-round and secure bookings year-round. STRs during peak season and long-term rental (more than 3 months) in the off-season may be considered. TUPs may contain conditions regulating the use during certain times of the year.</p>	<ul style="list-style-type: none"> • No timing related conditions are proposed in the draft TUP as it appears the STR will be booked year round.

The proposed STR is generally consistent with the Official Community Plan's policies and guidelines for STR TUPs, and, for the reasons outlined in Table 2, staff anticipate the

benefits to local tourism and/or temporary workers exceed the impacts of a temporary loss of a caretaker dwelling unit.

ALTERNATIVES:

Council can choose to:

1. Deny the application for TUP 3340-25-03.
2. Defer the application to a subsequent meeting of Council.
3. Amend the conditions of TUP 3340-25-03 and approve the permit as amended.
4. Refer the application back to staff for further review, as specified by Council.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Newspaper notification of the proposed TUP was published in the May 29th edition of the Ladysmith Chronicle. A sign was posted on the subject property on May 22nd, 2025, and notification was sent by mail and courier on May 23rd to owners and tenants of properties within 60 meters of the subject property.

A public hearing for a temporary use permit is not required pursuant to section 464(1) of the *Local Government Act*.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The application was circulated to the Town Building Department for review and comment. Their comments are summarized below:

Table 1: Interdepartmental Referral Comments

Referred (Yes/No)	Department	Comments
Yes	Building Inspection	An occupancy permit was issued for the caretaker dwelling on December 13, 2004. No concerns were noted during the Building Inspectors' inspection of the unit on May 22 nd , 2025.

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 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. Subject Property Map
- B. Temporary Use Permit 3340-25-03
- C. Site Plan
- D. Rationale Letter

SUBJECT PROPERTY MAP

930 LUDLOW ROAD



 Subject Property





TOWN OF LADYSMITH TEMPORARY USE PERMIT

FILE NO: 3340-25-03

DATE: June 3, 2025

Name of Owner(s) of Land (Permittee): Tycor Holdings Ltd. Inc. No. 540540

Applicant: Karen and Rick Goodwin (Wash Me on Ludlow)

Subject Property: 930 Ludlow Road

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

930 Ludlow Road (LOT 2, DISTRICT LOT 24, OYSTER DISTRICT, PLAN 45800, Except that part in Plan VIP73654 and Plan EPP71248)

PID: 010-208-682

3. Pursuant to section 493 of the *Local Government Act*, this permit authorizes a temporary Tourist Accommodation Use at 930 Ludlow Road to allow a Short-Term Rental contained in a Caretaker Dwelling, subject to the conditions contained herein.
4. The applicant shall ensure that the following conditions of this Permit are met:
 - a. The Short-Term Rental shall be booked for a minimum of sixty (60) days per calendar year, under normal market conditions.
 - b. A minimum of one (1) off-street parking space shall be provided for the Short-Term Rental use.
 - c. The owner shall have a valid Business Licence for the Short-Term Rental.
5. This permit is not a building permit or a sign permit.
6. Pursuant to section 497 of the *Local Government Act*, this permit lapses **three years** from the date of issuance of this permit, unless renewed pursuant to section 7 of this Permit.

7. This Permit may be renewed once only by a Council resolution.

AUTHORIZED BY RESOLUTION NO. _____ PASSED BY THE COUNCIL OF THE TOWN OF
LADYSMITH ON THE 3rd DAY OF JUNE 2025.

DRAFT

ATTACHMENT - C



1321812 BC Ltd
930B Ludlow Rd
Ladysmith BC v9G 1B9
washmeonludlow@gmail.com
250-245-3204

ATTACHMENT - D

Date: April 23, 2025

To:

Town of Ladysmith
Planning Department
410 Esplanade
Ladysmith, BC V9G 1A2

Re: Rationale Letter for Temporary Use Permit – Short-Term Rental Use of Existing Suite

Dear Planning Department,

I am writing to support my application for a Temporary Use Permit (TUP) for the use of an existing suite as a short-term rental at 930C located in the Town of Ladysmith.

The suite in question is located above the office and pump room of an existing car wash facility on the property. It was originally constructed as a 1 Bedroom suite and is a fully self-contained unit with a separate entrance, parking, and amenities necessary for independent occupancy.

We are seeking a Temporary Use Permit because the suite does not comply with current zoning regulations for short-term rental use (such as those governing Airbnb-style accommodations), particularly due to its location on a commercially zoned property.

As such, a TUP is the appropriate mechanism to allow short-term rental use on a temporary and trial basis while ensuring alignment with broader community goals.

Alignment with the Official Community Plan (OCP):

1. Support for Tourism and Economic Development:

The OCP encourages tourism and the development of complementary services and accommodations to enhance the visitor experience. Allowing the suite to function as a short-term rental directly supports this objective by providing unique and flexible accommodation options for tourists visiting Ladysmith and the surrounding area.

2. Efficient Use of Existing Infrastructure:

This proposal involves no new construction or strain on municipal services. The suite already exists above the car wash operational area and is underutilized. This makes it an

ideal candidate for a temporary conversion that maximizes existing space and infrastructure with minimal impact.

3. Maintaining Community Character and Safety:

As the suite is not located within a residential neighborhood, the potential for disturbances to nearby residents is minimal. Moreover, the suite will be carefully managed by myself and/or on-site staff to ensure guest behavior is respectful and in line with community standards. Rules regarding noise, occupancy, and parking will be clearly communicated and enforced.

4. Temporary Nature and Responsiveness:

As this is a Temporary Use Permit application, the Town retains oversight and can re-evaluate the use after the initial term. This provides a low-risk opportunity to assess whether this type of short-term rental can be compatible with Ladysmith's long-term planning goals and business development strategy.

5. No Impact on Long-Term Housing Supply:

The suite is not part of the residential rental stock and has not been used for long-term housing. Its use as a short-term rental would therefore not affect housing affordability or availability, which is a key concern in the OCP.

Conclusion:

We believe the proposed short-term rental use of the suite aligns with the intent of the Town's OCP by supporting economic activity, tourism, and the responsible use of existing infrastructure. We appreciate that this use falls outside of current zoning permissions, and we are therefore pursuing a Temporary Use Permit in good faith to demonstrate responsible stewardship and alignment with community goals.

The suite consists of a 1 bedroom, 1 bath (shower only) unit.

Fully furnished, large south facing windows leading to balcony.

Open concept with a full kitchen

Gas stove, refrigerator and microwave.

Thank you for considering this application. I would be happy to provide any additional information or to meet with staff to discuss the proposal further.

Sincerely,

Richard Goodwin or Karen Goodwin

403-470-9374 or 403-516-9374

Owners of 1321812 BC Ltd



MINUTES

Community Planning Advisory Committee

Wednesday, May 14, 2025 at 7:00 p.m.
City Hall Council Chambers, 410 Espanade

PRESENT: Chair - Keona Wiley; Members – Tonya Soules, Julika Pape, Anthony Price;
Alt. Council Liaison – Duck Paterson; Planner - Julia Dewijn; Recorder – Cassandra Taylor

ABSENT: Members - Jennifer Aker, John Scott, Jason Robertson; Council Liaison - Jeff Virtanen

GUESTS: Applicant – Renjiayi Shen (file no. 3060-25-01)

Chair Keona Wiley called the meeting to order at 7:12pm.

Keona Wiley acknowledged with gratitude that Ladysmith is located on the unceded territory of the Stz'uminus First Nation.

1. AGENDA APPROVAL

It was moved, seconded, and carried that the Agenda of the May 14, 2025, Community Planning Advisory Committee meeting be approved.

2. ADOPTION OF MINUTES

It was moved, seconded, and carried that the Minutes of the January 8, 2024, Community Planning Advisory Committee meeting be approved.

3. COUNCIL REFERRALS

Façade Development Permit Application 3060-25-01 – 18 High Street

Planner Julia Dewijn provided a brief overview of the application, noting that the applicant has decided not to move forward with the awnings at this time, as the applicant had originally proposed. Instead, the focus will be on the building's façade and business signage, which is subject to a separate sign permit application.

The Committee sought clarification on the applicant's decision to forgo the installation of awnings. It was noted that, if desired in the future, a Development Permit Amendment could be applied for. Additionally, questions were raised regarding the intended use of the existing side patio and the rear of the property.

The Committee was overall pleased with the proposal and expressed no concerns.

It was moved, seconded, and carried that the Community Planning Advisory Committee recommends that the Director of Development Services approve Development Permit application 3060-25-01 for 18 High Street as proposed.

4. MONTHLY BRIEFING

- a. Updates were provided on the following files that were previously reviewed by CPAC:
 - 3060-23-21 440 1st Avenue
 - 3360-24-02 336 Belaire St.
 - 3360-23-10 Lot A Malone Rd.
- b. The Committee was reminded of the deadline to have applications in for CPAC term renewals. The current term expires June 30, 2025.

5. NEXT MEETING – TBD

6. ADJOURNMENT

It was moved, seconded, and carried that the meeting be adjourned at 7:29 PM.

Chair (Keona Wiley)

RECEIVED:

Corporate Officer (S. Bouma)

STAFF REPORT TO COUNCIL

Report Prepared By: Tim Tanton, Director of Infrastructure Services
Reviewed By: Allison McCarrick, CAO
Meeting Date: June 3, 2025
File No:
Re: **Award for Colonia Dam Decommissioning**

RECOMMENDATION:

That Council:

1. Approve Change Order No. 1 for \$448,330 (excluding taxes and contingency) to Contract 2024-IS-05A, enabling Spider Mountain Excavators Ltd., the successful bidder for the Mackie Dam decommissioning in the 2024 competitive RFP process, to also decommission Colonia Dam under the existing contract, thereby minimizing additional costs; and
2. Adjust the 2025-2029 Financial Plan budgets for Mackie Weir and Colonia Weir accordingly.

EXECUTIVE SUMMARY:

Spider Mountain Excavators Ltd. (Spider) was the successful bidder in the 2024 competitive RFP process for decommissioning Mackie Dam. The additional cost to decommission Colonia Dam can be minimized by adding this work to Spider's existing contract as a Change Order.

PREVIOUS COUNCIL DIRECTION:

Resolution	Meeting Date	Resolution Details
CS 2024-198	Sept 3, 2024	That Council award the Mackie Road Dam Decommissioning RFP 2024-IS-05-A to Spider Excavators in the amount of \$383,085 plus applicable taxes.

INTRODUCTION/BACKGROUND:

After a competitive bidding process in 2024, Council awarded Contract 2024-IS-05A to Spider for the decommissioning of Mackie Dam. Unfortunately, the fall rains came earlier than expected and environmental regulations for work in Holland Creek did not allow the work to proceed in 2024 as planned.

In 2025 Ladysmith budgeted to decommission Colonia Dam, which is also on Holland Creek, just 300 m upstream of Mackie Dam. Staff and the engineering consultant, Ecora Engineering & Environmental, recommend engaging with the same contractor, Spider, for this additional work, anticipating potential cost savings. The close proximity of the two

sites creates cost efficiencies for the contractor while minimizing disruption for local residents.

The contractor's bid price for the additional work is included in Change Order No. 1 in Attachment A. Ecora's review of the pricing and recommendation is included as Attachment B.

ALTERNATIVE:

Council can choose to direct staff to hold a separate competitive bidding process for the Colonia Dam decommissioning work. The implications of this would mean the construction work would not be completed in 2025, resulting in sections of the Holland Creek Trail being closed in both 2025 and 2026.

FINANCIAL IMPLICATIONS:

Within the Financial Plan, there are 3 weir projects all funded 100% by grant:

Weirs	Original Budget	Spent to date	Committed
Mackie	1,087,500	38,705	556,217
Colonia	462,500	7,538	136,135
Holland Creek Intake	1,200,000	0	0

This additional change order for the Colonia project will push the Colonia project over budget. Spider also identified approximately \$390,000 in contingency which is not included in the \$448,330 amount. The Mackie project is not expected to use all of the allotted budget so any cost savings could be transferred to the Colonia or Holland Creek Intake projects or returned to the grant funder.

LEGAL IMPLICATIONS:

If approved, Change Order No. 1 becomes part of Contract 2024-IS-05A and will be administered in the usual manner by staff and Ecora. Progress payments are based on the unit prices in the contract and are certified by Ecora before processing by Town staff.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The removal of both Mackie and Colonia Dams will be directly adjacent to the popular trails along both sides of Holland Creek. Staff will use website and social media tools to notify the public and provide additional information about the project.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Parks, Engineering and Communications departments will work closely to coordinate and accommodate the contractor's activities.

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. Contemplated Change Order No. 1 from Spider Mountain Excavators Ltd.
- B. Recommendation letter from Ecora Engineering & Environmental Ltd.

- Notes:**
1. This Contemplated Change Order (CCO) is for works to decommission Colonia Dam, which is approximately 300m downstream of Mackie Road Dam.
 2. The specifications referenced in this CCO are based on previously executed Contract 2024-IS-05-A between Spider Mountain Excavators Ltd. and the Town of Ladysmith.
 3. This design package used for pricing this CCO - Revision A - including drawings and technical reports is "Issued for Permit" only and remains subject to regulatory review and approval. Acceptance by the Ministry of Water, Lands and Resource Stewardship – Water Management Branch, Fisheries and Oceans Canada, and compliance with the Water Sustainability Regulation is required. Elements of the design may be revised in response to feedback or requirements arising during the regulatory review process. If changes by regulators are significant, they may impact the CCO price.

Division	Title	Amount
01	General Requirements	\$ 225,629.00
31	Earthwork	\$ 222,701.00
	Price	\$ 448,330.00
	Contingency (20%)	\$ 89,666.00
	GST (5%)	\$ 26,899.80
	Price plus GST	\$ 564,895.80

Item #	Section	Payment Paragraph	Item Description	Unit	Quantity	Unit Price	Amount
Division 01 - General Requirements						Sub-Total Division 01	\$ 225,629.00
1.1	01 10 00SS	SP 4	Site Access	LS	1	\$30,341.00	\$ 30,341.00
1.2	01 10 00SS	SP 10	Dewatering and Creek Diversion	LS	1	\$96,834.00	\$ 96,834.00
1.3	01 33 01SS	1.8.2SS	Survey Layout and Project Record Documents	LS	1	\$6,201.00	\$ 6,201.00
1.4	01 35 29SS	1.2.1SS	Project Safety Documentation	LS	1	\$2,592.00	\$ 2,592.00
1.5	01 53 01SS	1.9.2SS	Temporary Facilities - Mobilization/Demobilization	LS	1	\$23,378.00	\$ 23,378.00
1.6	01 55 00SS	1.5.2SS	Traffic Control, Vehicle Access, and Parking	LS	1	\$7,653.00	\$ 7,653.00
1.7	01 57 01SS	1.6.2SS	Environmental Protection	LS	1	\$57,643.00	\$ 57,643.00
1.8	01 58 01SS	1.3.2SS	Project Identification	LS	1	\$987.00	\$ 987.00
Division 31 - Earthwork						Sub-Total Division 31	\$ 222,701.00
31.1	N/A	N/A	Rebar Scanning on Existing Concrete Dam and Valve Chamber	LS	1	\$10,000.00	\$ 10,000.00
31.2a	02 41 31SS	1.6.1SS	Demolition and Removal of Existing Concrete Dam and Valve Chamber if Rebar is NOT Encountered	LS	1	\$119,007.00	\$ 119,007.00
31.2b	02 41 31SS	1.6.1SS	OPTIONAL - Demolition and Removal of Existing Concrete Dam and Valve Chamber if Rebar is Encountered (Not included in total sum)	LS	1	\$300,000.00	\$ 300,000.00
31.3	31 23 01	1.10.4	Remove and Dispose Existing Water Pipe	lm	10	\$667.00	\$ 6,670.00
31.4	31 23 01	1.10.4	Cut and Plug Existing Water Pipe with Grout and Sand Bags at Locations Determined in Field	ea	2	\$617.00	\$ 1,234.00
31.5	31 24 13SS	1.8.5SS	Common Excavation c/w Off-Site Disposal (Sediment Removal)	m ³	180	\$313.00	\$ 56,340.00
31.6	31 24 13	1.8.9	Fine Grading of Channel Bottom (Including Boulder Relocation)	m ²	350	\$27.00	\$ 9,450.00
31.7	N/A	SP 12	Environmental Restoration as directed by the QEP (Provisional)	LS	1	\$20,000.00	\$ 20,000.00



May 27, 2025

Ecora File No.: 230602/2400807

The Town of Ladysmith
330 6th Avenue PO Box 220
Ladysmith, BC V9G 1A2

Attention: **The Town of Ladysmith**

Reference: **2024-IS-05-A – Mackie Road Dam Decommissioning – Change Order to Increase Scope of Work to Include Colonia Dam Decommissioning**

Ecora Engineering and Environmental Ltd. (Ecora) was requested to engage the Contractor, Spider Mountain Excavators Ltd. (Spider), and solicit them to provide pricing for construction services to decommission the Colonia Drive Dam on Holland Creek. Since Spider had previously been awarded the contract to decommission Mackie Road Dam, which is ~300m downstream of Colonia Drive Dam, the Town of Ladysmith (the Town) and Ecora agreed that rather than creating a new Request for Proposals (RFP) or tender for the Colonia Dam decommissioning, Spider should be given the opportunity to price the works to provide a cost savings to the Town.

The advantages to retaining the same Contractor versus sourcing a new one include:

- Lower costs for mobilization to the Site, since Spider will already have their equipment and staff stationed in Ladysmith at the nearby (~300m away) Mackie Road Dam site.
- The Contractor will already be familiar with the flows and geography of Holland Creek, which offers savings on dewatering/diversion and site access.
- By avoiding a new RFP or tender, the Town will save time and money on engineering/consulting fees, as preparing tender and eventually contract documents would cost approximately \$7,500 for Ecora's work. This does not include the savings the Town would see internally, allowing their staff to work on other projects instead of going through a second tender process.
- Spider would be completing the Colonia Drive Dam Decommissioning this summer (2025), immediately after completing the Mackie Road Dam works. If this were to go to tender, it is unlikely that other contractors would be able to provide competitive pricing due to the tender being issued so close to the construction start date.

If Spider is not given approval to proceed, Ecora would suggest that the Colonia Drive Dam decommissioning be delayed until 2026 so the Town receives more competitive pricing from contractors.

The attached Schedule of Quantities (Contemplated Change Order 1) totals to **\$564,895.80**. If the Town elects to proceed with Spider, Ecora will issue a Change Order immediately to award them the work.

We trust this information meets your present requirements. If you have any questions or comments, please contact the undersigned.

Sincerely

Ecora Engineering & Environmental Ltd.



Jordan Bokla, ASCT
Intermediate Civil Technologist
Direct Line: 519.807.2293
jordan.bokla@ecora.ca

c: Tim Tanton – ttanton@ladysmith.ca
Adam Kerkhecker – adam.kerkhecker@ecora.ca
Tomos Edmonds – tomos.edmonds@ecora.ca

Attachment B

- Notes:**
1. This Contemplated Change Order (CCO) is for works to decommission Colonia Dam, which is approximately 300m upstream of Mackie Road Dam.
 2. The specifications referenced in this CCO are based on previously executed Contract 2024-IS-05-A between Spider Mountain Excavators Ltd. and the Town of Ladysmith.
 3. This design package used for pricing this CCO - Revision A - including drawings and technical reports is "Issued for Permit" only and remains subject to regulatory review and approval. Acceptance by the Ministry of Water, Lands and Resource Stewardship – Water Management Branch, Fisheries and Oceans Canada, and compliance with the Water Sustainability Regulation is required. Elements of the design may be revised in response to feedback or requirements arising during the regulatory review process. If changes by regulators are significant, they may impact the CCO price.

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STAFF REPORT TO COUNCIL

Report Prepared By: Tim Tanton, Director of Infrastructure Services
Reviewed By: Allison McCarrick, CAO
Meeting Date: June 3, 2025
File No:
Re: Traffic Management Plan – Show ‘n Shine Event

RECOMMENDATION:

That Council:

1. Receive the May 16, 2025 letter from the Show ‘n Shine applicants; and
2. Determine if it wishes to fund the request from the applicants for a traffic management plan and traffic services related to the 2025 event.

EXECUTIVE SUMMARY:

Special Event Bylaw No. 2196 and the Special Event Handbook may require a professional traffic management company to design a Traffic Management Plan (TMP) for events which require street closures. The Show ‘n Shine applicants do not have a budget for event traffic management and request funding from the Town to cover the associated costs.

PREVIOUS COUNCIL DIRECTION:

CS 2025- 032	2025- 02-04	That Council approve the allocated amount of \$2250 as the 2025 Grant in Aid for the Ladysmith Show and Shine organization.
CS 2024- 295	2024- 12-03	That Council adopt “Special Event Bylaw 2024, No. 2196”.
CS 2022- 038	2022- 02-15	That Council: 1. Authorize the execution of a Service Provider Agreement between the Town of Ladysmith and the Ladysmith Show and Shine Society for the provision of promotional services for Ladysmith, with the date as set out in the Service Provider Agreement; and 2. Confirm that the Ladysmith Show and Shine Society is required to pay the \$250 annual fee for the additional liability coverage provided by the Municipal Insurance Association of BC.

INTRODUCTION/BACKGROUND:

Staff met with the applicants to discuss the plan for closing 1st Avenue to traffic from Warren Street to Roberts Street during the Show ‘n Shine event on August 16, 2025.

Following this meeting, the applicant sent a letter to Council (Attachment A), requesting financial assistance related to traffic management.

The event organizers advise that they do not have a budget for hiring professionals with the certification to design and implement a TMP and further do not agree that this should be required.

The Ladysmith Special Event Handbook, 2024 Edition (Attachment B), includes the following:

SECTION 5 - SAFETY AND SITE PLANS

Traffic Control Plan

Special events that use Town of Ladysmith streets, laneways, sidewalks, bicycle facilities, and other transportation infrastructure are required to control traffic through event zones. A traffic control plan:

- *Must be completed by a qualified traffic-management professional.*
- *Outlines the temporary traffic control devices used to protect event staff, volunteers and participants and move road users safely through the event zone.*
- *Contains details on how and where the specific traffic control devices will be used and implemented and on what schedule.*
- *If applicable, the Traffic Control Plan must be submitted to the Town of Ladysmith a minimum of 28 days prior to the event for review and approval.*

The Town's Special Event Bylaw 2024, No. 2196 (Attachment C) classifies events as small, medium, large or extraordinary events. The applicant estimates 6,000 attendees, which meets the threshold for extraordinary event classification.

Section 14 of the Bylaw reads:

If, in the opinion of the Corporate Officer, a Special Event will affect any traffic on a Road, as a condition of authorizing its closure the Corporate Officer may require the Applicant to provide a traffic control plan certified by a professional transportation engineer.

Both the Handbook and the Bylaw are recent, having been passed by Council in late 2024.

There are several factors which elevate the risk of this event:

- Size of the event.
- The mix of vehicles and pedestrians together, especially when crowds are leaving and show vehicles are being moved.
- 1st Avenue is a busy commercial street lined with active businesses.
- The proximity to Highway 1.

The Town protects itself from liability during such events by following established standards and practices. Not following established standards makes it more difficult for the Town to defend itself in the event of a mishap.

Staff therefore recommend that a professional traffic control company/consultant be hired to complete a TMP and the applicants implement the plan for the Show ‘n Shine event. Council may consider funding this cost based on the community benefits of the event.

Alternatively, Council may wish to exempt the applicant from the usual requirements and accept the risk of increased liability in the event of incident. *(Not recommended by staff.)*

ALTERNATIVES:

Council can choose to:

1. Direct staff to hire a traffic management company to design and implement a Traffic Management Plan at the Town’s cost for the Show ‘n Shine Event at a cost not to exceed \$_____. *An amount will need to be determined, a funding source identified, and the Financial Plan amended; or*
2. Direct staff to waive the Grant in Aid Policy and provide another Grant in Aid for \$3929 to the Ladysmith Show ‘n Shine; or
3. Acknowledge and accept an increase in the Town’s liability for any mishaps and allow the Show ‘n Shine event to be held with a Traffic Control plan designed and implemented by non-accredited volunteers and override the authority of the Corporate Office to require the Applicant to provide a traffic control plan certified by a professional transportation engineer as shown in s.14 of the Special Event Bylaw 2024 No. 2196. *This option is not recommended by staff.*
4. Not fund the request.

FINANCIAL IMPLICATIONS:

The Ladysmith Show ‘n Shine group received \$2,250 in Grant in Aid funding in 2025. Per the Grant in Aid Policy, this amount was the maximum eligible based on their 2024 amount received (75% of \$3,000). The organization, in 2024, also donated \$3,000 to VIU, LRCA, and the Orca’s swim club. In 2025, they have \$2,000 budgeted for bursary donations.

The Grant in Aid policy caps the total budget as a percentage of the prior year taxes. The 2025 budget was set at \$67,185 allocated by policy with 90% awarded by application, 5% set aside for waiving of fees and 5% set aside for late applications/Council discretion. As of the date of this report the following amounts remain:

	Budget	Provided	Remaining
Application	60,467	59,897	570
Waiving of Fees	3,359	276	3,083
Late Applications/ Council discretion	3,359	0	3,359

Should Council wish to provide the Show 'n Shine a second Grant in Aid to the organization, the maximum available is \$3,929 (\$3,359 + \$570) without using the waiving of fees budget. The Grant in Aid policy would also be required to be waived as it indicates that only one application per organization be considered per year. Additionally, there will not be any funds remaining should other organizations request similar funding for events held on 1st Avenue or other groups requesting late funding, such as in the past with the Ladysmith Secondary School's Improv Group or the Ladysmith Skatepark Society. Additional funds may be required to fully fund the TMP and associated costs of traffic personnel. These extra funds could come from the Council – public relations budget.

The Town also permitted the Show 'n Shine group to be an associate member on the Town's liability insurance. This reduces the organization's liability insurance costs to \$250 annually. To qualify for this reduced insurance, an agreement was made between the Town and the organization to "provide a service on behalf of the Town". Other organizations, such as Ladysmith Celebrations Society, Ladysmith Festival of Lights, Kinsmen Club of Ladysmith, and the Ladysmith Downtown Business Association also have this insurance which could lead the Town to be paying for the traffic management at their events. With potentially 7 events both downtown and at Transfer Beach each year, the cost could be \$35,000 to \$50,000 annually. To fund such a cost, Council could reduce the Grant in Aid budget by this amount or increase taxation.

LEGAL IMPLICATIONS:

The Town protects itself from liability during street closures for special events by following established standards and practices. Not following established standards makes it more difficult for the Town to defend itself in the event of a mishap.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

In this case the volunteer applicant does not seem to be aware of the requirements of the Town's Bylaw and Handbook for Special Events. Going forward, staff will consider including copies of both documents to road closure/event applicants.

The financial burden for TMP's created by professionals will be an issue faced by several applicants for larger special events in Ladysmith. Council may wish to consider directing staff to investigate an arrangement with a traffic control firm which could cover all of the larger events in a typical year.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

I approve the report and recommendations.

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

- A. Letter dated May 16, 2025 from Show 'n Shine Applicants
- B. Special Event Handbook, 2024 Edition
- C. Special Event Bylaw 2024, No. 2196

Attachment A

Saturday, August 16

10am to 3pm

Downtown Heritage Ladysmith



Ladysmith Lugnuts Car Club
Bob Purslow, President
bobbpurslow@gmail.com
250-245-3857

May 16th, 2025

Mayor and Council
410 Esplanade Street
Ladysmith B.C.

Subject: Request for help to hire a traffic management company for the Ladysmith Show and Shine, as requested by the Town

Dear Mayor Beeston, Council and Staff

Our members hope this letter finds you all well. I am writing to request support from the Town for the this year's Show and Shine. The Show and Shine has been successfully held in Ladysmith for over twenty years. The goal of the event is to showcase an array of antique and modern day vehicles, and how over time they have changed and in many cases involved into an art form ... but in doing so we also want to showcase our community's heritage and unique downtown, which in itself is a collection of art forms, heritage and beautiful history.

The Town's car show draws almost 300 cars and participants from all over the island, lower mainland and the US. It's estimated that almost 6,000 spectators throughout the day visit our town's downtown core. It is one of the most popular shows on the island, in fact after the Qualicum show we are the second largest. We have always tried to be self-sufficient through sponsorship, entry fees, t-shirt sales, donation, etc. In a couple of instances, with left over funds, we are able to sponsor two bursaries at Vancouver Island University's automotive program and donations to the Ladysmith Food Bank, Ladysmith Resource Center and Ladysmith Orca Swim club.

To ensure safety barricades are placed at all intersections, between Roberts Street and Warren Street, along with alleys entering First Avenue, to prohibit vehicular traffic from accessing the Town's Main Street during the car show. We endeavour to have personal (readily identifiable) at each barricade as well. For Warren and First and Roberts and First we have two of our people, with radios, there to advise motorists of other streets they can access.

This year, due to recent events, we were asked by the Town to draft a formal traffic management plan and an emergency management plan which we have done. (see attached appendix "A")

On May 14th of this year, myself and Vice president, Martin Byrne attended city hall to present our plan to Tim Tanton, Director of Infrastructure Services, Alison McCarrick C.A.O. and Ladysmith Director of Emergency Services Chris Geiger. As a result of this meeting Tim, Alison and Chris did not feel comfortable approving the plan with volunteers being responsible for managing traffic, as we have done since the start. Town staff advised that for the show to proceed, professional traffic management personnel would have to be hired to manage traffic into the event and traffic leaving at the end of the event. This information was all new to us as we have not been through it before, and in budgeting and preparing for this year's community event we were unaware of.

I advised that we do not have the funds to pay for this, and if we are required to do this, we will have to cancel the show. Tim and Alison suggested that we approach council to see if the town will pay for traffic management.

This decision was completely unexpected and has left us in a difficult position. In our preparations and budgeting (for 2025) we based all our financing on what has been done in the past, plus we added a kids entertainment area. As stated the Show 'n' Shine is a free family event and we desire to do our best to keep it that way. We have accepted some sponsorship funds for this year's show and have made other commitments. We have purchased new communication radios and additional safety vests and have put down deposits on the port-potties and first aid. If we are forced to cancel this year's show these sponsors will expect to

be reimbursed.

As stated previously, none of this had been relayed to us before. We had submitted our annual Street Closure request on January 12th and we had not been informed of the new requirements at that time. We have not yet been advised of the scope required by Mr Tanton, therefore we are assuming two scenarios, both of which were not (and have not) been included in our 2025

1) For us to hire a control person to attend every intersection on the First Avenue corridor the cost is estimated to be between \$5,000 and \$7,000. As the event is on a weekend most of the companies charge hourly at time and a half.

2) To control the north (Roberts Street) and south (Warren Street) entry/exit locations and one cross street (Gatacre) the costs are expected to be in excess of \$2,600.

Our volunteers are asking for help from the Town, if you are insisting that professional traffic control people (and equipment) be hired. We totally understand that the safety of the public is the most important matter and we want to do our part, but getting hit with this, when we're more than half way through our planning, has made it hugely difficult.

We also realize we are not the only community event that has/will be hit by these changes from past practices. We also understand that some of them, already in their planning stages, were also not aware of the requirements and the costs that could be associated with them. Would it not be a good idea for the Town to get community groups together and relay all the new information, requirements, Town expectations, and possibly reasoning associated with the changes. Knowledge before hand would be truly beneficial.

... so, for this year at least, the volunteers from the Show 'n' Shine are hoping that the Town can assist in helping us (and others) get through this unexpected situation. With council's support, we can ensure the concerns of the town are met and the event is held with minimal risk to the municipality. We would welcome the opportunity to present more detailed information or answer any questions that council may have.

Thank you for considering our request and for your continued commitment to the Show 'n' Shine and to improving the quality of life in Ladysmith.

Sincerely,



Bob Purslow

President, Ladysmith Lugnuts Car Club

Appendix "A"

Show 'n' Shine

Saturday, August 16th,

2025

Traffic Management Plan

Event Organizer

Ladysmith Lug Nuts Car Club (Show 'n' Shine) volunteers
1125B Walkem Rd.,
Ladysmith, B.C.
V9G 1B8
Contact: Bob Purslow Email: bobpurslow@gmail.com.
Phone: 1-250-245-3857

Local Authority

Town of Ladysmith
410 Esplanade, PO Box 220 Ladysmith, B.C.
V9G 1A2
Contact: Don Stewart. Email: dstewart@ladysmith.ca.
Phone: [250.245.6424](tel:250.245.6424)

Traffic Management Plan

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Scope

This is an annual event presented by the Ladysmith Lug Nuts Car Club (Show 'n' Shine) committee.

The event will require the complete closure of First Avenue from Warren Street to Roberts Street plus High Street, east from First Ave. to the alley. This closure will also require closing access to First Avenue for:

- Kitchener Street, French Street, Kitchener Street, Buller Street, High Street and Gatacre Street.

this will also require alleyway entrances between the appropriate streets

Road closures and limited access will be in effect on Saturday, August 16th from 6:30 a.m. until 4:00 p.m..

Event Hours

The event runs from 7:00 a.m. until 3:00 p.m. Saturday, August 16th, 2025. With set up and tear down time for the event, the road closures and limited access will be from 6:00 am August 25, 2025, to 4:00 pm August 16th, 2025.

Supervisor of Volunteers

The Supervisor of Volunteers will:

- Ensure compliance with the requirements of Part 18 of the WCB Occupational Health and Safety Regulation regarding supervision of volunteers at the work zone;
- Monitor pedestrian flows;

- Direct and supervise the implementation and removal of the required traffic control devices as per the Traffic Management Plan and approved Traffic Control Plans and ensure that these devices are properly maintained.
- Have full authority over all volunteers on site;
- Ensure volunteers are wearing the required protective clothing and equipment;
- Ensure volunteers are positioned correctly and in a safe manner;
- Ensure that volunteers work together as a team when working in groups of two or more;
- Monitor traffic operations to determine the effectiveness of the Traffic Management Plan including the Traffic Control Plan;
- Ensure that emergency traffic control operations are carried out in accordance with the Incident Management Plan;
- Respond to any traffic concerns of the Town of Ladysmith, police or WCB.

Volunteers

All volunteers will wear high viz safety vests and intersection personal will have two-way radios.

All volunteers will be instructed to ensure they understand the responsibilities in the area they are working and to ensure their conduct is courteous when attending to the public.

Event Signage

All signage and traffic control devices will conform to the specifications in the Ministry of Transportation's Traffic Control Manual for "Work on Roadways".

Signage needed for short duration operations will be mounted on sign stands. Short term signs may be slightly tilted back or rotated a few degrees away from the roadway to avoid illegibility.

All signs will be maintained regularly to allow for maximum visibility and will remain clear of any materials that may reduce their visibility.

All signage will be set up to command the respect of vehicles, cyclists, and pedestrians to ensure the safety of both the travelling public and the event.

Safety

The Supervisor of Volunteers will ensure all volunteers are aware of muster points and the location(s) of first aid attendants.

Emergency Vehicles

Upon approval of the traffic management plan and the dates proposed for the work, the Town of Ladysmith will notify the following agencies:

- • BC Ambulance Service - 250-245-3231
- Should any emergency services request a copy of the traffic management plan the sponsoring committee will supply them with it.

B.C. Transit

B.C. Transit buses that use First Avenue, and other affected streets, need to be notified of the event and times.

The Town of Ladysmith and the Show 'n' Shine volunteers will work with B.C. Transit to determine alternate routes and stops for B.C. Transit buses during the period of the First Avenue closure. Should B.C. Transit require a copy of the traffic management plan, the Show 'n' Shine volunteers will supply them with it.

Cyclists

Cyclists will be required to obey all road closures.

Cyclists will have the option to use alternate routes and detour around road closures or dismount their bicycles and proceed as pedestrians.

Cyclists will be required to obey traffic control signage as well as event volunteers and their instructions.

Overnight

There will be no overnight disruptions of First Avenue or other streets affected by the car show.

No Parking Requirements

The event may be required to remove some on-street parking to ensure people are not stuck/in areas where they are unable to move their cars until roads are re-opened at the end of the event.

Traffic Control Plan

The event will occur along First Avenue between Warren Street and Buller Street and the east half block of High Street.

All traffic control procedures will be in accordance with the B.C. Ministry of Transportation's "Traffic Control Manual for Work on Roadways" and the Workers' Compensation Board of British Columbia's Occupational Health and Safety Regulation part

eighteen (18).

Affected roadways will be restored as soon as possible.

The Town of Ladysmith and the police have the right to restore any closed roads should it be deemed necessary to do so.

The event will impact businesses and residents. The Show 'n' Shine volunteers will provide written notice to affected businesses and residences as directed by the Town of Ladysmith.

The event will require the complete closure of First Avenue between Warren Street and Roberts Street along with the east half block of High Street. This closure will also require closing access to First Avenue for:

- Kitchener Street, French Street, Kitchener Street, Buller Street, High Street and Gatacre Street.

this will also require alleyway entrances between the appropriate street

Traffic on First Avenue

Southbound

First Avenue will be closed at Roberts Street.

Traffic travelling southbound on First Avenue will be required to detour either right/east or left/west at Roberts Street.

Northbound

First Avenue will be closed at Warren Street.

Traffic travelling northbound on First Avenue will be required to detour left/east at Warren Street.

Kitchener Street, French Street, Kitchener Street, Buller Street, High Street and Gatacre Street.

this will also require alleyway entrances between the

appropriate street

The event organizer volunteers will provide written notice to the affected businesses and residences as directed by the Town of Ladysmith.

PUBLIC INFORMATION PLAN

The Public Information Plan identifies actions and procedures to inform the travelling public and project stakeholders of current traffic operations and planned changes to traffic operations.

The Event Organizers will consult with the Town of Ladysmith to implement a public information plan for this event.

Agency Notification

The Town of Ladysmith will notify the following agencies in advance of the work:

Traffic Management Plan

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- Ladysmith RCMP - 250-245-2215
- Ladysmith Fire - 250-245-6436
- BC Ambulance Service - 250-245-3231
- BC Transit - 1-855-748-1230

Business and Resident Notification

Prior to the event and as directed by the Town of Ladysmith, the Event Organizers will deliver to all businesses and residents adjacent to the event written notification of the nature of the event, the dates, and the hours of the road closures.

General Public Notification

The Town of Ladysmith will maximize the use of its website and social media to inform the travelling public of the event and the resulting road closures and transit impacts.

The event volunteers will further notify any stakeholders as requested by the Town of Ladysmith.

Contact List - EMERGENCY SERVICES

Emergency – Police, Fire, Ambulance - 911

Non-Emergency Police - 250-754-2345

Non-Emergency Fire - 250-753-7311

Non-Emergency BC Ambulance Service - 250-727-2400

Workers Compensation Board - 1-800-621-7233

Workers Compensation Board (after hours) - 1-866-922-4357

Provincial Emergency Program (PEP) - 1-800-663-3456

Earthquake, Flood, Dangerous Goods, Spills, Tsunami -
1-800-663-3456

BC Hydro Emergency - 1-800-769-3766

Fortis Gas Emergency - 1-800-663-9911

Telus Trouble Center - 611

Medical Services- Ladysmith Community Health Centre -
250-739-5777

Town of Ladysmith Engineering and Public Works - 250-758-5222

BC Transit - 250-390-4531

Event volunteers - Bob Purslow - 250-245-3857

INCIDENT RESPONSE PLAN

The primary objective is to facilitate incident response. Any

incident will be immediately brought to the attention of the event organizers. The event organizers will be responsible for initially coordinating all safety and emergency response efforts relating to the incident. The following general emergency response procedure is to be implemented by the event organizers:

- Respond quickly and assist in contacting the appropriate emergency response agencies.
- Contact the Town of Ladysmith to make them aware of the incident so they can respond if necessary.
- Assist emergency response personnel when required.
- If necessary, stop the event and clear the area to enable emergency response vehicles to travel to the site of the incident unimpeded.

Record details of the incident and provide a report to the Town of Ladysmith if required.

Emergency Management Plan (EMP) – Ladysmith Show and Shine

1. Event Overview

Event Name: Ladysmith Show and Shine

Location: First Avenue, Ladysmith B.C.

Date/Time: August 16th, 2025 0600hrs to 1500hrs

Organizer: Ladysmith Lugnuts Car Club, Bob Purslow President

Expected Attendance: 200 vehicles and participants. 4000 spectators through out the day.

2. Risk Assessment

Identify potential hazards:

Medical emergencies

Fire

Severe weather (heat, storms)

Lost children

Traffic accidents

Electrical hazards (from staging or food trucks)

3. Communication Plan

Two-way radios or mobile communication for event staff

Public address system for announcements

Social media updates for the public

4. Roles & Responsibilities

Role Responsibility

Event Manager Overall emergency coordination, Bob Purslow

Safety Officer Monitors safety, oversees evacuation, Martin Byrne

First Aid Coordinator Coordinates medical responses, Tammy Leslie

Security Team Controls crowds, enforces rules, Duck Patterson

Volunteers Assist with evacuations, info dissemination

5. Evacuation Plan

Evacuation Routes: Marked on event map; posted visibly

Mobility Assistance: Staff assigned to help people with disabilities

Traffic Control: Coordination with local police for road closures and emergency access

6. First Aid & Medical Support

First Aid Stations: Clearly marked; staffed by certified personnel

Ambulance Access Routes: Maintained clear at all times

7. Shelter-in-Place Procedures (for weather or hazardous

materials incidents)

Announce via PA and staff guidance

Provide water and updates as needed

8. Child/Dependent Safety

Lost & Found Children Tent: Staffed with ID verification procedures

9. Post-Incident Procedures

Incident reporting form for staff

Debrief with emergency services

Public communication if needed

Review and revise EMP as necessary

SPECIAL EVENT HANDBOOK



TABLE OF CONTENTS

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1.0 PURPOSE

The Town of Ladysmith helps to host a wide variety of special events each year ranging from small community events to large scale events that draw thousands of participants from within the region and beyond. The purpose of the Special Events Handbook is to provide a comprehensive information resource on special event planning, policies and procedures to enable special event coordinators or those thinking of hosting an event easy access to the necessary information to help make the event a success.

2.0 GOALS AND OBJECTIVES

Goal: Built to assist both the Town and event organizers, the Special Event Handbook is meant to provide the required information to plan a fun and entertaining special event large or small.

Objectives: The specific objectives of this handbook are to ensure that the Town of Ladysmith:

- considers the impacts of the event to its assets and spaces.
- the safety of the Town's residents, visitors and event participants are a priority.
- citizens' interests are met.
- works closely with event organizers.
- ensures the event organizers work with the merchants and residents to ensure that any negative impact is kept to a minimum.
- assist in the coordination between event organizers, merchants and residents to create a successful outcome.
- ensures all Federal, Provincial and Municipal laws, regulations and statutes are observed.
- applications are handled in a fair and equitable manner for special events.
- evaluates each event in a consistent manner.
- recovers and/or accounts for direct costs related to the services provided by the Town.

3.0 DEFINITION OF SPECIAL EVENTS

For the purpose of this handbook, a special event is defined as a one time, annual or infrequently occurring event(s) on Town of Ladysmith property.

We generally try to place events into a number of categories, to help with our overall data on the type and number of events that our Town hosts annually. As a result, the event categories we use are:

Event Categories

- | | |
|-------------------------|--|
| • Athletics | involves competition of an athletic nature. |
| • Club Event | event supporting a club's purpose (i.e. Rotary) |
| • Commemorative | acknowledges significant dates or occurrences. |
| • Commercial | events designed to generate surplus revenue. |
| • Community | provides the community with an opportunity to celebrate. |
| • Festival | celebration with cultural or artistic activities. |
| • Fundraiser | event generated to create funding for a specified recipient. |
| • Market / Tradeshow | provides community with opportunity to purchase crafts, food, etc. |
| • Product Launch | introduction of a new product to generate interest and sales. |
| • Theatre / Performance | concert, performance or display of theatre arts. |

In addition to the category of event, we also track the type of event being hosted in terms of whom is able to attend, where it occurs and any costs associated to it. This includes:

- Open to the public?
- Have to purchase tickets?
- Any age restrictions?
- Any other access restrictions?

1.1. Size of Events

Event size is reviewed with a few lenses which increases the complexity of the event:

- Number of facilities and/or public spaces used.
- Attendance expectations
- Impact on public access

Generally, the department classifies special events as small, medium, large or extraordinary.

Key Differences between event categories:

EVENT ACTIVITIES / USES	SMALL EVENT	MEDIUM EVENT	LARGE EVENT	EXTRAORDINARY EVENT
Uses minimal spaces & limited time	✓			
Uses multiple spaces		✓	✓	✓
Minimal road closures	✓	✓		
Multiple road closures			✓	✓
Liquor is served		✓	✓	✓
Food (perishable) is served		✓	✓	✓
Attendance is under 200 persons	✓			
Attendance is 200 persons to 499 persons		✓		
Attendance is 500 persons to 3,999 persons			✓	
Attendance is over 4,000 persons				✓
Requires Town of Ladysmith employees in its delivery				✓
Public access is not impacted	✓			
Public access is mildly impacted		✓		
Public access is strongly impacted			✓	✓

Examples of these are:

- Small Block Party / Concerts in the Park
- Medium Brits on the Beach / Vancouver Island Trail Running Series
- Large Ladysmith Days / Arts on the Avenue
- Extraordinary Light-up / Festival of Lights

OVERVIEW OF THE APPLICATION PROCESS

4.1 Step One

Contact the Booking Clerk (bookings@ladysmith.ca) to confirm that the space you are requesting is available. You can also show up at the Frank Jameson Community Centre, and talk to the clerk at the front desk, or call 250.245.6424

Have an idea for a special event and don't know where it will work? Check out our appendix with photos of spaces, or talk to our front desk staff!

4.2 Start your Special Event Permit Application:

Once the Town staff has confirmed the space is available (they will also place a temporary hold on it), start the Special Event Permit Application process.

Town staff will email you a fillable version of the document (printed copies are available through our front desk as well), or you can find it online here:

[Special Event Permit](#)

Or go to this web page for more information:

<https://www.ladysmith.ca/parks-recreation-culture/special-events>

4.2.1 Application Steps

We recommend that all parties submit their application well in advance of it occurring to ensure that you and the Town are successful in making it happen. Here are the general timelines for submitting a completed application (examples of event types can be found on page 5):

Event Size	Application Due (no liquor)	If Liquor / Cannabis Involved, Application Due
Small	30 days in advance	45 days in advance
Medium	60 days in advance	No additional time required.
Large	90 days in advance	
Extraordinary (recurring)	90 days in advance	
Extraordinary (new)	120 days in advance	

a) Sections 1, 2 and 3 - Primary Fields

Section 1 – Applicant Information

Provides us with details on who is applying, which organization is involved, whom the spokesperson will be and how to contact them.

Section 2 – Event Information

Provides us with event overview information, includes location, date, time, attendance estimates, type (category), costs and initial mapping of the event.

Know in advance. Some of our facilities have fees attached to their usage. Find out which ones with our Fees and Charges Bylaw:

[Fees and Charges Bylaw](#)

Section 3 – Liquor Licence, Liability Insurance and Security Deposit

Provides us with the key information if liquor is being sold as part of this event. It also covers off Third Party Liability insurance requirements. Your application may include items such as:

- Liquor licence information:
 - Site map for layout, liquor control area, seating, food, etc.
 - Whom is serving
 - Number of persons planned for
 - Completion of applicable applications / permits

- One of two different levels of third-party liability insurance is required (depends on type of activity and whether liquor is involved)

- A security deposit will be required at the time of confirmation. This deposit will be for the event but may include additional deposits for keys, electrical access, or other like items.

*Go online for more information on
Special Occasion Licences from
the Province:*

*[Special Event Permit Manual](#)
[Special Occasion Licence Application](#)*

b) Sections 4, 5, 6, and 7 - Supplementary Fields

Section 4 - Supplied by Event Organizer

Provides us with details on what equipment or services are being brought to the site as part of the event. Your application may include items such as:

- Food vendors (eg. food trucks)
- Entertainment
- Tents
- Porta-potties
- Fireworks
- Tables and/or chairs

Section 5 - Requests from the Town

Provides us with the initial request from the event organizer on what equipment, support or services that the event may require. Be aware that fees may apply to some or all requests. Your application may include items such as:

- Garbage and/or recycling cans
- Barricades
- Road, park or trail closures
- Power or water

- SaddleSpan Tent (at the Transfer beach Amphitheatre)

Section 6 - Safety & Site Plans

Provides us with the overview of how your event is going to be run safe, not only for the attendees but for the persons organizing and running it. Normally, the more complex your application is, the higher need there is for well developed plans for everyone's safety. Your application may include items such as:

- Site safety plan
- Security plan
- Road, park or trail closures
- Emergency response plan
- Traffic control plan
- Public flow
- First aid locations and emergency access
- Event notification signage

A Traffic Management Plan is completed by a qualified traffic-control professional that creates a plan to move pedestrians, bikes and/or vehicles safely through an area being used or impacted by an event.

Section 7 – Other Considerations

Not necessarily required on the application but additional items for consideration by Special Event Applicants include items such as:

- Other applicable bylaws (like Noise, Parks, Animal Control...)
- Outside agency requirements (Health Authority, Entandem...)
- Accessibility options
- Recycling
- Site cleanup

Submit your application

Once you have completed the form, please submit your application, including any additional information (as available at time of submission - site plans, liquor licence, liability insurance, etc) to:

bookings@ladysmith.ca

Once received, Town staff will review your Special Event Application, checking and/or confirming:

- Completeness
- No conflicts and determine suitability of your event at the space
- Availability of requests from the Town

If any questions arise from your application, PRC staff will reach out to discuss them with you.

Once completed, and all documentation submitted and approved, the Town will issue a Special Event Permit. This permit must be displayed on site at your event.



DETAILED APPLICATION REQUIREMENTS

5.1 PRIMARY FIELDS

5.1.1 SECTION 1 - APPLICANT INFORMATION

Complete this portion of the form using your primary contact information for yourself and the organization that you are representing. This information is used for creating the Special Event Permit and for our tracking purposes.

Section	Information needed
Applicant Name	Name of the person completing the application
Phone #	Phone # of the person completing the application
Email	Email of the person completing the application
Spokesperson	Identify if you are or are not the spokesperson (key contact) for this event for the organization. If a different person, the next three boxes are completed identifying the spokesperson and their contact details: <ul style="list-style-type: none"> • Spokesperson Name • Spokesperson Phone # • Spokesperson Email
Applicant Organization	If applicable, the business, agency or non-profit applying
Type of Organization	Check off the type of organization is applying. Only check a single box or fill in the space by other.
Society #	If applicable, the society number for the organization
Address	Mailing address, including postal code where applicable, and includes the next 3 boxes: <ul style="list-style-type: none"> • City • Province • Postal Code

5.1.2 SECTION 2 - EVENT INFORMATION

Complete this portion of the form with the following intent for each section:

Section	Information needed
Name of Event	Full name that will be used for promoting the event
New Event?	Check off if this is a new event, if not, identify the last year it occurred.
Location of event	General location and then specify, as needed, precise location. See maps within this handbook to assist in appropriate descriptions
Date(s) of event	Start date and end date. If occurring sporadically, identify the individual dates
Number of participants or spectators	How many persons are attending this event (not working at it)

Purpose of event	Provide a very short description of the event
Type of event	Check off as many event types as applicable. If none, please fill in the blank under “other”
Purchase tickets?	Check off whether tickets will be sold to the event for entry.
Public or private event	Identify whether the event is open to the general public,
Liquor available for consumption	Check off if the event will be offering liquor for consumption on site.
Event details	<p>Provide, in reasonable detail, how the event is being run, what is specifically being offered (and when), whom it is targeted to attract, and how it is going to use the space.</p> <p>Include maps (use ours where reasonable) for:</p> <ul style="list-style-type: none"> • Layout of the event • Road closures or restrictions • Traffic flow through the event • Access points <p>Depending on complexity, additional maps / details may be required. See Section Five for more information.</p>

5.1.3 SECTION 3 – SECURITY DEPOSIT(S), LICENCES, PERMITS AND INSURANCE

Security Deposit

All special event organizers will be required to post a security deposit of not less than \$350.00 at the time of booking the requested facility.

This deposit is to offset any damages, incidents or other instances that may require the Town to repair, replace or mediate.

As a result, the value of the security deposit may increase above \$350.00 depending on the size and scope of the event and/ or the performance of the special event organizer in making timely payments in past events.

For further information on Security Deposits, please see Section 15 in the Event Bylaw:

[Town of Ladysmith Events Bylaw #2196](#)

Liability Insurance

Third party liability insurance is required for all events and is set at the following levels:

Most Small and Medium events: not less than \$2,000,000 third party liability or higher depending on event activities.

Large and Extraordinary events: not less than \$5,000,000 third party liability or potentially higher, depending on activities.

Events with liquor

not less than \$5,000,000 third party liability and not less than \$5,000,000 liquor host liability or potentially higher depending on activities.

EVENT SIZE	COMMON INCREASED RISKS				LIABILITY INSURANCE (in millions)		
	Involves road crossings	Traffic control in place	Impact sport or activity	Liquor is served	Third Party Liability		Host Liquor Liability
					\$2 mil.	\$5 mil.	\$5 mil.
SMALL					√		
				√		√	√
			√			√	
MEDIUM					√		
				√		√	√
		√				√	
	√					√	
LARGE OR EXTRAORDINARY						√	
				√		√	√

Proof of the appropriate third-party liability insurance is required:

- For small events, 15 days in advance of the event start date.
- For all other events, a minimum of 30 days in advance of the event start date.

For third party liability, the Licensee will provide evidence of commercial general liability insurance against third party claims for bodily injury, death, property and loss of use. The proof of this is a copy provided by the insurer which includes the Town of Ladysmith as an additional insured.

For host liquor liability insurance, it is additional coverage under your third-party liability insurance, which must be identified on the form presented to the Town.

Third Party Liability insurance can be sourced through any insurance agent with or without the additional coverage of host liquor liability.

Failure to provide proof of appropriate insurance coverage does result in cancellations of all bookings and events.

Special Event and Liquor License Locations

Special Occasion Licenses are only permitted in the following locations, of which the Director of Parks, Recreation & Culture has the authority to approve:

- Outdoors:
 - Aggie Field
 - Downtown
 - Forrest Field
 - Harmony Square

- High Street Field
- Transfer Beach Park

- Indoors
 - Aggie Hall
 - Frank Jameson Community Centre (FJCC)

Requests for any and all other sites require the approval of Council, via the Parks, Recreation & Culture Department.

The Town has a separate Special Occasion form to be completed for their internal review process of the licence. It contains similar requirements as per the Provincial version and can be found here:

[Insert link to Special Occasion Application.](#)

Hours of operation of the Special Occasion Licenced areas are permitted as follows:

TIMES	LOCATIONS							
	Aggie Field	Aggie Hall	Downtown	Frank Jameson Community Center	Forrest Field	Harmony Square	High Street Park	Transfer beach Park
11:00am to 8:00pm	✓				✓			
11:00am to 9:00pm			✓			✓	✓	
11:00am to 10:00pm								✓
As set by the Province or as staffing permits		✓		✓				

Special Event Liquor Licence

Any organization planning on serving liquor at their event must complete and identify this information on the Special Event Permit Application. The event organizer is responsible for providing proof of Liquor Special Event Permit for:

Small Events	45 days in advance
Medium Events	60 days in advance
Large Events	90 days in advance
Recurring Extraordinary Event	90 days in advance
New Extraordinary Event	120 days in advance

Applications for a Special Occasion Licence, to permit the sale or consumption of alcohol can be found online at:

Government of BC – Apply for a liquor Special Event Permit

Note: All Special Occasion License applications are subject to review by the local RCMP detachment

Applications will not be finalized unless the Liquor Special Event Permit and a facility use agreement for the event has been issued.

Business Licence

Any commercial entity delivering services on Town of Ladysmith property must have a current business licence. A business licence can be purchased through City Hall with all information (including the application form) [available online](#).

The licence may be either a single licence from the Town of Ladysmith or an inter-municipal licence which includes the Town in it.

A copy of your business licence is to be attached to your special event application.


Non-profit societies and government agencies are exempt from the requirement to have a business licence.

5.2 SECONDARY FIELDS

5.2.1 SECTION 3 – SUPPLIED BY THE EVENT ORGANIZER

Provide us with details on what equipment is being brought to the site for the event. Include, depending on the quantity of materials, a map showing their layout/location. Information to be supplied includes:

Equipment type	Information required	Special Permitting / Restrictions
Tents	Identify sizes, quantities and locations being set-up	Tents can not be staked into the ground. All must be anchored securely using weights.
Food vendors	Identify names, vehicle sizes, and locations being parked/set-up	All food vendors require a permit from the Vancouver Island Health Authority (VIHA). Commercial operations (such as food trucks) require a current business licence. More info can be found here: VIHA Planning Guide for Temporary Events and Markets
Entertainment	Identify the type of entertainment and special requirements for them.	Entandem fees may apply for recorded music being used. Indicate usage on application. If sound amplification is being used, identify power requirements and how they are being met.
Portable Washroom	Identify quantities and placement.	Ensure, if multiple day event, that cleaning is scheduled to occur by the company hired.

		<p><i>Rule of thumb is a minimum of 1 portable washroom per 50 persons.</i></p> <p><i>Note, if an event is being held where washrooms are present. Portable washrooms will be needed if the # of attendees exceeds the stalls in the washrooms.</i></p>
Tables and/or chairs	Identify number and location chairs / tables are being brought to. If high number a map needs to be provided	Ensure chairs/tables are placed on solid ground. All legs need to have sealed ends to minimum their sinking into soils.
Fireworks	<p>See Bylaw 2115 Fireworks for specific requirements.</p> <p>Approval for fireworks must be secured in advance of the special event permit being processed.</p>	
Event Signage	<p>Info on what signage they are responsible for providing and processes</p> <p>If you are considering placing signage on Town property for your event in advance or on the day(s) of the event, please detail what is proposed.</p>	
Town Highway Signage (located by the Cenotaph and Davis Road)	<p>A permit is required for using these signs, which can be found here: Sign Street Closure Permit</p> <p>The two signs that will be placed within the Town's sign stations and be taken down when the event is over.</p> <p>Material: 4' x 8' coroplast Letter Size: Minimum 6" for primary letters</p> <p>Content: Primary – community event and date(s): Secondary – graphics or sponsor logo</p>	

5.2.2 SECTION 4 – REQUESTS OF THE TOWN

Equipment rental / usage

Provide us with your initial request for equipment being loaned to the event. Include details of quantity, duration, pick-up / drop-off location. Note that rental, security or cleaning fees may be applicable for any or all equipment.

For some equipment being brought in there are specific restrictions on what is permitted.

Equipment type	Information required	Restrictions
Garbage Can	Quantity of each	Reserved for large or extraordinary events.
Barricades	Quantity	
Power Supply	See maps for details on available power supplies	
Water Supply	See maps for details on available water outlets	
Off-Highway Signage	The Town is responsible for installing the highway signage only. Complete the sign application form if desired to be added.	Events that use or impact the highway may trigger further review via the Ministry of Transportation and additional event notification requirements.

SaddleSpan Tent

The Town has a SaddleSpan Tent (see photo on page 9) available for install at the Amphitheatre at Transfer Beach Park. The SaddleSpan Tent is available to rent to any special event but comes with some extra planning and costs which includes:

- SaddleSpan Tent Rental fee of \$1,236 in 2025 which includes:
 - Amphitheatre use of the day at no charge
 - Set-up and take down.
 - Fee must be paid 30 days in advance to secure installers.
- Timelines for usage
 - May to September: 8:00am to 10:00pm with set up starting no earlier than 6am and take down completed by 12:00am (no amplified sound, during set up or take down)
 - Exemptions may be granted on a case-by-case basis.
 - October to April: will be weather dependent.
- Longer than one day?
 - Additional days have only the Amphitheatre charge applied (see [fees and charges](#) for more information)
 - Overnight security is required for more than a single day. Current fee by contractor will be applied (in the \$300-500 range)

Temporary Street Usage and/or Closure

Events involving usage of the Town's streets, whether it is a full closure (like a parade), or shared use of the street (like a running race) requires approval from the Corporate Services Department. This would include events such as:

- Parades
- Street Markets
- Block Party
- Races
- Soap Box Derbies, etc.

Depending on the event this may only require a permit from the Corporate Services Department along with a completed traffic management plan.

Traffic management plans are typically required where vehicles and public are permitted to share the same space during set-up/take down or while the event is running.

Will I Need a Traffic Management Plan?

Type of event	Traffic Management Plan Needed?	
	Yes	No
Not impacting any Town Streets, roads or parking lots.		✓
Closes down a parking lot or street, but no traffic is being run on it.		✓
Closes down a parking lot or street, but vehicles are permitted part or all of the time on it.	✓	
No street or road closure is planned but event attendees will be on the roadway / in the parking lot.	✓	

Temporary Road Closure permits also identify where barricades are to be placed and any additional signage that may be needed.

The Street Closure permit can be found here: [Street Closure Permit](#)

Further information on this permit can be sought through the Corporate Services Department at info@ladysmith.ca

5.2.3 SECTION 5 - SAFETY AND SITE PLANS

Depending on the complexity and attendance levels of your event, additional plans may be required to provide oversight and guidance to critical situations. These plans may include:

Site Safety Plan

A site safety plan is targeted for events where a significant number of event attendees will be situation in a space together. This plan will detail where key assistance provided by the event coordinators will be located on site. This includes but is not limited to:

- First aid stations
- Water stations
- Hazardous areas (where attendees are not permitted typically) and mitigation of them
- Fire extinguishers
- General aid / assistance stations

Security Plan

The need for the use of security and emergency access will be evaluated on an event-by-event basis. Where required, the cost of the security will be borne by the event

organizer. The name of the Security Company and proof of bonding will be required 28 days prior to the event.

Included in the plan is the name, contact details of the company providing security, location of each security individual and area of responsibility.

Emergency Response Plan

The event site plan will be forwarded by Parks, Recreation & Culture to the Town of Ladysmith Fire Rescue to ensure adequate measures are in place for fire and life safety concerns. When developing the emergency response plan, ensure that it includes processes for, at a minimum:

- Identification of potential emergencies (eg. evacuation)
- Emergency vehicle access
- Communication
- Resources being accessed.
- Key persons and their roles / responsibilities

Traffic Control Plan

Special events that use Town of Ladysmith streets, laneways, sidewalks, bicycle facilities, and other transportation infrastructure are required to control traffic through event zones.

A traffic control plan:

- Must be completed by a qualified traffic-management professional.
- Outlines the temporary traffic control devices used to protect event staff, volunteers and participants and move road users safely through the event zone.
- Contains details on how and where the specific traffic control devices will be used and implemented and on what schedule.
- If applicable, the Traffic Control Plan must be submitted to the Town of Ladysmith a minimum of 45 days prior to the event for review and approval.

Signage Plan

A separate signage plan may be needed for complex events where site, access and public safety is highly detailed. The separate plan may have separate layers that identifies signage specifics such as:

- Vehicle access / travel roads
- Road closures
- Directional signage (foot, bike and vehicle signage)
- Event site safety requirements

Route Plan

A route plan is only required when the event occupies a trail or road network or a compilation of both. It needs to clearly identify flow of event attendees, all interaction points with non-event attendees.

Parking Plan

For large-scale events where parking will be impacted, a detailed parking plan will be the responsibility of the event organizer and will be submitted to Parks, Recreation & Culture a minimum of 45 days prior to the event.

The parking plan needs to clearly identify all parking areas being managed, entry and exit points, and how controls are being put in place to manage vehicles entering / exiting said areas.

5.2.4 SECTION 7 – OTHER CONSIDERATIONS

Bylaws

The type of event being organized may trigger one of the Town’s bylaws being reviewed to ensure compliance with its regulations. To that end, here is a simple table of some of the bylaws and their relevance to events:

Subject being considered	Bylaws impacted
Dogs or other animals	Parks usage bylaw Dog Licensing bylaw Animal and poultry bylaw
Amplified sound	Noise bylaw
Fireworks	Fireworks bylaw
Food trucks or other licenced food sellers	Business Licence bylaw

To find “most” of our bylaws, go to this page: [Frequently Requested Bylaws](#)

Outside Agencies

Several outside agencies are involved in the safe delivery of services and or ensuring fair compensation occurs to others.

Entandem Fees

When recorded and/or live music is used in any public setting, a music license is required. Whether that’s background music playing or being performed by live performers in a retail space, restaurant or bar, DJs playing in a nightclub, music at a fitness studio, or music at a function, live concert/festival, or at a sports event, a music license is legally required.

Entandem administers public performance licenses on behalf of RE: SOUND and SOCAN, each of which represents the public performance rights in all copyright-protected music used in Canada, not just Canadian-made music. Royalties collected by each organization for performances in Canada of music made by non-Canadians are distributed to their creators.

If Entandem fees apply, the amount will be added to the facility rental agreement and the Town will forward the fees to Entandem on your behalf. For more information, please visit <https://www.entandemlicensing.com/> or email license@entandemdev.wpenginepowered.com or by calling 1.866.944.6223 during business hours.

Vancouver Island Health Authority (VIHA)

Any event planning on offering food vending or personal services is required to have an approved permit from VIHA within 14 days of the event approval.

Specifically this covers off events such as:

- Food being served.
 - Service or product booths.
 - Food market
 - Mobile food service
- Farm markets
- Personal Services such as piercings, tattoos, micro needling, etc.

Best information on the process and requirements for VIHA's permitting process can be found here: <https://www.islandhealth.ca/sites/default/files/food-safety/documents/planning-guide-temporary-events-and-food-markets.pdf>

NOTE: Animal areas do not require specific permitting but must meet and adhere to the [Provincial Guidelines for Prevention of Zoonotic Diseases from Petting Zoos and Open Farms](#).

Any petting zoos or like exhibits / interactions must be clearly identified on your special event application and on the event map.

Technical Safety BC (TSBC)

For safety items [Technical Safety BC](#) is the agency that permits the regulations and inspects services when it comes down to items such as gas, electrical, plumbing, amusement devices and such.

As a result, all equipment used must meet their requirements along with any other applicable codes (such as the Fire or Building Codes).

Accessibility

All special event operators must ensure proper accessibility and a viewing area for the physically disabled is provided. Any special events that feature performances on a band shell or main stage must provide designated accessible areas for use by patrons with physical disabilities.

Garbage & Recycling

Cans and Bottles

The event organizer will supply recycling containers for beverage cans and bottles.

The special event organizer will supply the same number of recycling containers as garbage containers and place them appropriately throughout the site. Recycling containers will be labelled with the words "Recycle" or "Cans & Bottles" and will have the recycling symbol (the Mobius Loop) on the label or the container to signify that it is a recycling container.

Vendor Recycling

The event organizer will ensure that a suitable location is provided for food and merchandise vendors to place flattened corrugated cardboard boxes. These will be kept separate from any other recyclable or garbage.

Clean-up

The event organizer will ensure that the facility, grounds or combination thereof will be returned to as close to the same condition as reasonably possible post event.

This includes:

- The removal of all equipment, garbage, recycling, tents, etc from the facility(ies) used.
- The removal of all flagging, signage, and other temporary markers used and put in place by the organizer.
- The placement of any temporary equipment borrowed from the Town (barricades, garbage barrels, etc.) returned to the drop off location of such.

If any damage occurred during the course of the event, it is the responsibility of event organizer to document and report the damage to the Town. Reporting of the damage should include:

- Description of how the damage occurred and by whom (if known)
- Photograph of the damage incurred

Damage means anything more than normal wear and tear from use on the grounds, facilities and/or equipment provided to or used by the event.

Pending on the type / amount of damage that occurred, the event security deposit will be used for repair purposes.

Post Event Follow-up

Once your event is over, Town staff will reach out looking for a quick synopsis on “how did it go”. The Town is interested in maintaining an understanding of the great impact that special events have for our community and for visitors to it.

The synopsis will include an overall rating of the success of the event, how many people were involved in its delivery and in its attendance. What worked well, what needs some fine tuning?

The information gathered is not only for modifying the event for its next iteration, but for us to report out on how events involve, shape and celebrate the Town of Ladysmith.

4.0 APPENDICES

- 4.1 FACILITY RENTAL REQUEST
- 4.2 SIGN STATION/TEMPORARY STREET CLOSURE APPLICATION
- 4.3 SPECIAL EVENT LOCATIONS
- 4.4 SPECIAL EVENT PERMIT APPLICATION
- 4.5 SPECIAL OCCASION LICENCE APPLICATION
- 4.6 ANNUAL EVENT CALENDAR
- 4.7
- 4.8
- 4.9

APPENDIX 4.1

Special Occasion Permit Application

[Available online](#)

TOWN OF LADYSMITH

Celebrate our Present. Embrace our Future. Honour our Past.

2025 SPECIAL OCCASION PERMIT APPLICATION

SEE BACK FOR FURTHER INFORMATION

APPLICANT INFORMATION – COMPLETED BY PERSON RESPONSIBLE FOR LIQUOR LICENCE

Applicant Name (s):

Phone Number:

Applicant Organization:

Email:

Address:

City:

Province:

Postal Code:

EVENT INFORMATION

Name of Event:

Location (choose below):

Date of Event:

Hours of Event:

to

Hours of Liquor Service:

to

of Participants:

If location ** - identify specific area:

ENSURE THE APPLICATION CONTAINS:

Details of control entrances, exits and security

Security deposit of \$350.00

Food is available to patrons

Location of tables, chairs, or other seating in licenced area

Host Liquor & Third Party Liability Insurance of not less than \$5million with the Town of Ladysmith listed as additional insured.

OUTDOOR LOCATIONS ONLY (see back for further details):

Site plan of licensed area

Confirm that staff will be provided to ensure vehicles are parking designated zones

Location & number of portable washrooms

Location & number of garbage cans

Signature of Applicant:

Date:

These are not to replace the requirement of a Liquor Special Event Permit (SEP) acquired through the Province of British Columbia's Liquor and Cannabis Regulation Branch.

Submit completed application by:

Email: bookings@ladysmith.ca

In-person: Frank Jameson Community Centre 810 – 6th Ave, Ladysmith

For more information 250.245.6424

The information on this form is collected under the general authority of the Community Charter and Freedom of Information & Protection of Privacy Act (FOIPPA) and is protected in accordance with FOIPPA. Personal information will only be used by authorized staff to fulfill the purpose for which it was originally collected or for a use consistent with that purpose. If you have any questions about the use and collection of this information, contact the Corporate Officer at 250.245.6417 or foi@ladysmith.ca



APPENDIX 4.2

SIGN STATION/TEMPORARY STREET CLOSURE APPLICATION

[Available online](#)

DRAFT

APPENDIX 4.3

SPECIAL EVENT LOCATIONS

[Available online](#)

DRAFT

APPENDIX 4.4

SPECIAL EVENT PERMIT APPLICATION

[Available online](#)

DRAFT

APPENDIX 4.5

SPECIAL OCCASION LICENCE APPLICATION

[Available online](#)

DRAFT

APPENDIX 4.6



ANNUAL EVENT CALENDAR



Listed below are the **recurring events** held within the Town of Ladysmith. The intent behind this list is to provide knowledge to people scheduling their events so that they can plan appropriately in advance.

Event Name	Typical Date (approx.)	Location(s)	Approx. Attendance
Easter Egg Hunt	Easter Sunday	Transfer Beach Park	175-200
Annual Sailpast	Mother's Day	Ladysmith Harbour / Transfer Beach	
Ladysmith Pride Celebration	First Weekend in June	Downtown	
Prom Parade	Third Weekend in June	Downtown	
Brits on the Beach	Second Weekend in July	Transfer Beach Park	
VI Trail Running Series	Third weekend in July	Coastline Endurance	
Concerts in the Park	All Summer – various days	Transfer Beach Park	
Ladysmith Days	August Long Weekend	Downtown / Transfer Beach	
Ladysmith Show and Shine	Third weekend in August	Downtown	
Arts on the Avenue	Fourth Weekend in August	Downtown	
Oktoberfest	Third weekend in September	High Street Field	
Light-up	Fourth Thursday in November	Downtown	
Old Time Christmas	First Friday in December	Downtown	
LaFF's Winter Celebration	First weekend in December	Aggie Hall	
Christmas Sailpast	Second weekend in December	Transfer Beach Park	

APPENDIX 4.7

TRANSFER BEACH -ELECTRICAL CONNECTIONS

<p>Amphitheatre electrical black box (right side)</p> <ul style="list-style-type: none">•100 amp plug•2 x 20 amp standard plugs•60 amp plug	
<p>Amphitheatre (railing/lower wall behind)</p> <ul style="list-style-type: none">•4 x 20 amp plugs•Remainder are 15 amps	

<p>Kinsmen Shelter:</p> <ul style="list-style-type: none">•Standard 15 amp plugs•2 x 30 amp•40 amp•2 x 20 amp	
<p>Sportsman Shelter</p> <ul style="list-style-type: none">•2 standard plug ins at 15amps	

Attachment C

TOWN OF LADYSMITH

BYLAW NO. 2196

A Bylaw to provide for the granting of permits for special events on public property within the Town of Ladysmith

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

DEFINITIONS

1. In this Bylaw:

"Applicant" means the Person who applies for a Special Event Permit, pursuant to this Bylaw;

"Attendee" means a Person who is present at the Special Event and includes all participants, staff, volunteers, contractors and employees;

"Commercial Event" means any public or private event or gathering that:

- (a) is held by a business or has a commercial aspect; and
- (b) takes place wholly or in part on Public Property;

"Compliance Declaration" means a signed statement from the Permittee, in the format prescribed by the Director, indicating the Special Event complies with all requirements of this Bylaw and other local, provincial and federal laws and regulations;

"Council" means the Council of the Town of Ladysmith;

"Director" means the Director of Parks, Recreation & Culture with the delegated authority from Council within the "Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905" for:

- a. approving Special Events on land reserved, dedicated, or held for park purposes, where such use is consistent with the Zoning Bylaw and any restrictions on title;
- b. approving Special Occasion Licences pertaining to the aforementioned Special Events obtained in accordance with the *Liquor Control and Licensing Act*;

"Extraordinary Event" means a Special Event that is likely to be attended by four thousand (4,000) or more Attendees per day;

"Highway" has the same meaning as the term defined in British Columbia's Transportation Act [SBC 2004];

"Large Event" means a Special Event that is likely to be attended by less than four

thousand (4,000) but more than five hundred (500) Attendees per day;

"*Local Authority*" has the same meaning as the term is defined in the *Community Charter* [SBC 2003];

"*Medium Event*" means a Special Event that is likely to be attended by fewer than five hundred (500) but more than 200 Attendees per day;

"*Municipality*" means the corporation of the Town of Ladysmith, where the context requires, the area within the municipal boundaries of the Town of Ladysmith.

"*Offence Act*" means the *Offence Act* [RSBC 1996];

"*Permit*" means a valid permit for a Special Event issued pursuant to the provisions of this Bylaw;

"*Permittee*" means a Person who has obtained a valid Permit;

"*Person*" means an individual, partnership, association, corporation, organization, business, cooperative, trustee, executor, administrator or legal representative;

"*Public Authority*" has the same meaning as the term defined in the Community Charter;

"*Public Property*" means:

- (1) a Highway, street, park, plaza, public parking lot or other outdoor public right of way or place; and
- (2) any outdoor location that the Municipality maintains for the use of the public, including rights of way granted by a registered owner of land to the Municipality for public access.

"*Sign*" means any sign which is visible from any street or from the air, and which is used or capable of being used to convey information directly or attract attention for the purpose of an announcement, advertisement, business promotion, promotion of a product, activity, service or idea, or of providing direction, identification or information;

"*Site*" means the Public Property described in the Permit on which a Special Event is to be held;

"*Small Event*" means a Special Event that is likely to be attended by fewer than 200 Attendees per day;

"*Special Event*" means any public or private event with or without a commercial aspect, including but not limited to a market, craft fair, bake sale, auction, performance,

promotional activity, show, exhibition, wedding, parade, procession, advertising or marketing activity, athletic event, Commercial Event or other event or gathering of people, in which any part of the event or gathering takes place on Public Property;

"*Special Event Permit Application Form*" means the application form for a Permit prescribed by the Director, to be updated from time to time to reflect all federal, provincial and local legislative requirements.

REFERENCES

2. Reference to another enactment in this Bylaw is a reference to that enactment as it may be amended, replaced or in effect from time to time.
3. Reference to another bylaw in this Bylaw is a reference to a bylaw, as amended from time to time by the Municipality unless otherwise specified.

PROHIBITION

4. No Person shall hold a Special Event or prepare Public Property for holding a Special Event unless the Person holding the event has a valid Permit.
5. No Person shall publicize or advertise a Special Event without:
 - a. a Permit for the Special Event being advertised, or
 - b. written consent from the Director to publicize and or advertise the Special Event.

PERMIT REQUIREMENT EXEMPTIONS

6. Notwithstanding any other provision of this Bylaw, the following Special Events do not require a Permit:
 - a. Special Events for which the Municipality has already issued a Park Use Permit;
 - b. Special Events for which the Municipality has already issued a Film Permit; or
 - c. Special Events the Director has approved for emergency, public interest or other reasonably unforeseen circumstances not contemplated in this Bylaw.

PERMIT APPLICATION TIMELINE

7. A Person applying for a Special Event Permit must begin the Permit application process at least:
 - a) in the case of a Large or Extraordinary Event or events that include liquor that is being held in the Municipality: ninety (90) days before the date begins, unless:
 - i. it is the first time the event is occurring, one-hundred and twenty (120) days prior to the date the event begins; or
 - ii. it has not been held in the Municipality within a year of the date the Applicant submits the Application, one-hundred and twenty (120) days prior to the date the event begins.

- b) in the case of a Medium Event: sixty (60) days before the date the event begins.
- c) in the case of a Small Event: thirty (30) days before the date the event begins.

PERMIT APPLICATION REQUIREMENTS – REQUIRED MUNICIPALITY INFORMATION

- 8. Every Person applying for a Permit must complete the Special Event Permit Application Form provided by the Department of Parks, Recreation & Culture and must provide organizational and event details.

PERMIT APPLICATION REQUIREMENTS – REQUIRED THIRD PARTY INFORMATION

- 9. Before a Permit may be issued, the Applicant must provide to the Director, as part of the Permit application, proof of any applicable permits and licences that are a requirement of the special event application request from the Town or outside agencies.
- 10. Where a Special Event does not clearly fall into a prescribed type of Special Event in this Bylaw, the Director may process the Special Event Permit Application Form on the basis of the type of Special Event most similar to the Applicant's Special Event or require Council Approval.
- 11. No Person may make any material misrepresentations on a Special Event Permit Application Form.

ROAD USE, INTERRUPTION AND CLOSURES

- 12. No Person may hold a Special Event on any part of a Road or close any part of a Road as part of a Special Event unless the Person has received written authorization from the Town.
- 13. In addition to the information required under any other provision of this Bylaw, every Applicant for a Special Event that proposes to use or close or interrupt any part of a Road must make an application for a Temporary Street Closure t on the prescribed form provided by the Corporate Officer for that purpose and must provide information that the Corporate Officer reasonably requests in order to assist the Corporate Officer in determining whether the Applicant may be granted approval to use or close any part of a Road.
- 14. If, in the opinion of the Corporate Officer, a Special Event will affect any traffic on a Road, as a condition of authorizing its closure the Corporate Officer may require the Applicant to provide a traffic control plan certified by a professional transportation engineer.

SECURITY DEPOSITS

15. Before issuing a Permit pursuant to this Bylaw, the Director will require a refundable deposit in the form of a standby irrevocable letter of credit, cash or another form of security of not less than \$350.00 by the Facility Rental Agreement on the basis of size, duration, impact, nature, and history of the Special Event for:
 - a. any loss or damage to land or property due to the Special Event;
 - b. any fines or penalties owed by the Permittee due to contravention of this Bylaw or any of the Municipality's bylaws if the fines or penalties are owed in relation to promoting or holding the Special Event, and which amounts may be deducted from the security deposit once the fine or penalty becomes due and payable to the Municipality;
 - c. any costs incurred by the Municipality arising from or related to the Special Event, including the cost to provide policing, emergency or fire services or any other services provided by the Municipality;
 - d. any costs to restore the Site to the condition that it was in prior to the Special Event, and
 - e. any costs and damages incurred by the Municipality arising from specified terms in a written agreement with the Municipality or in the terms and conditions of the Permit.
16. If, in the opinion of the Director, the Special Event causes or results in any of the losses, damages, fines, penalties or costs listed in section 15 the Director may from time to time:
 - a. draw down on the security deposit posted to the extent of any cost incurred or expected to be incurred by the Municipality in connection with such losses, damages, fines, penalties or costs; and
 - b. request enforcement and compliance support from the Municipality's bylaw services staff pursuant to Enforcement and Ticketing Bylaws.
17. The Municipality shall hold any security deposit for up to sixty (60) days following the conclusion of the Special Event, at which time the Municipality must return the security or such portion of the security not deducted by the Municipality under this Bylaw to the Person or Permittee who provided the security.
18. The Permittee holding the Special Event must, within sixty (60) days of the conclusion of the Special Event, pay any costs incurred by the Municipality because of the Special Event that exceed the security deposit.
19. For the purposes of this Bylaw, loss or damages caused by the Special Event includes loss or damages caused by an Attendee at the Special Event.

PERMIT APPROVALS

20. No Permit shall be granted to a Person for a Special Event unless the Director is

satisfied that:

- a. the Special Event Permit Application Form is complete, with all required information, including Third Party information;
- b. the Applicant has complied with this Bylaw and all other enactments and legislation that are applicable to the Special Event, including, if the Special Event includes the service of liquor, that such service will comply with all applicable provincial liquor regulations and the requirements of the Municipality Beer Garden and Special Occasion License Application Policy;
- c. the proposed Site is available and is reasonably appropriate to host the Special Event, considering the scope, scale, impact, nature and history of the Special Event and the Site; and
- d. all fees, including any fees charged under the Community Centre Fees and Charges Bylaw 2024, No. 2178 and any outstanding fees or fines owed to the Municipality in relation to the Special Event, or any other Special Event operated by the same Permit applicant or Permittee, have been paid by the Permit applicant or Permittee.

21. Upon being satisfied that an Applicant has submitted a Special Event Permit Application Form, meets all the requirements outlined in this Bylaw, and has provided subsequent additional documents that meet the requirements for issuance of a Permit within this Bylaw, the Director may issue a Permit.
22. Despite section 21, the Director may refer an application for a Permit to Council if the Director is of the opinion that the scope, scale, nature, impact or history of the proposed Special Event requires the approval of Council, and Council will decide to issue or deny such Permit application based on the factors enumerated in this Bylaw.
23. The Director shall approve Special Event Permit applications with the same proposed date and Site on the following basis:
 - a. if an Applicant requests to use a Site on the same calendar date(s) that an annual Special Event was held in the preceding year, the previous Special Event Permittee, if in good standing with the Municipality, will have a right of first refusal to use that Site on the same calendar date(s) in the upcoming year; and
 - b. the Director will, at their sole discretion, resolve any other date or Site conflict on a case-by-case basis.
24. Permits issued under this Bylaw:
 - a. apply only to the Person or Permittee to whom the Permit was issued; and
 - b. shall state the terms and conditions the Director has imposed on it.
25. The Permittee must ensure that the Special Event is held in compliance with all

bylaws and other enactments and legislation.

26. Issuance of a Permit shall not be deemed to be a representation by the Municipality to the Permittee or to anyone else that the Permittee or the Special Event complies with all applicable bylaws or other enactments.
27. Prior to issuing a Permit, the Director may require a signed Compliance Declaration in lieu of collecting and inspecting all plans, permits, licenses and approvals.

SIGNS

28. No Person shall erect, place, display, allow to be erected, placed or displayed on Public Property a Sign to advertise or promote or to be used as part of a Special Event unless the Sign and the location has been approved in writing by the Director or delegate.

SPECIFIC TERMS AND CONDITIONS

29. The Director may impose specific terms and conditions with respect to a Permit in relation to:
 - a. the duration of the Permit;
 - b. the hours of operation of the Special Event;
 - c. the maximum number of Attendees allowed to attend the Special Event;
 - d. waste management, clean-up and maintenance of the Site;
 - e. public health and sanitation;
 - f. traffic control plan (vehicular and traffic control, parking control and crowd control);
 - g. the protection of public or private property;
 - h. emergency management plan;
 - i. the presence of security, police or emergency services;
 - j. the presence of medical services, medical transport or first aid;
 - k. arrangements for public transit and emergency vehicle access;
 - l. the posting of a security deposit;
 - m. the use of stages, platforms or other temporary structures on Public Property, including certification from a qualified professional that the stage, platform or temporary structure is fit for its intended use;
 - n. the erection, placement or display of Signs for the Special Event on Public Property;
 - o. the provision of an indemnity in favour of the Municipality;
 - p. the consumption and use of liquor and cannabis products;
 - q. the selling or marketing of goods or services at the Special Event, including food and beverages;
 - r. the sale, service and consumption of liquor;
 - s. the protection of the environment and management of solid waste as per

- the required Solid Waste Management Plan;
- t. notification of neighbors or other Persons who may be affected by the Special Event;
- u. the requirement of receiving a valid fireworks permit or campfire permit issued in accordance with the Ladysmith Fire Rescue;
- v. the requirement of receiving a signed Compliance Declaration prior to the commencement of the Special Event; and
- w. any other terms or conditions related to compliance with this Bylaw or another enactment.

LIABILITY & RISK MANAGEMENT

30. As a condition of granting a Permit, the Applicant must provide the Director with proof of insurance, in the form of certified copies of all relevant policies of insurance, at least fifteen (15) days prior to the first day of the event for Small Events, and thirty (30) days for Medium, Large and Extraordinary Events, in accordance with the permit.
31. Third Party liability insurance of no less than \$2,000,000 (two million) is required and if the Director is of the opinion that the nature of the proposed Special Event creates an unusual risk of bodily injury, death or property damage, third party liability insurance of not less than \$5,000,000 (five million) may be required.
32. Any Permits that include the consumption or sale of cannabis or alcohol will require Third Party Liability insurance of not less than \$5,000,000 (five million) and Liquor Host Liquor Liability Insurance of not less than \$5,000,000 (five million).
33. The Director may, as a condition of granting a Permit, require the Applicant to provide proof that the unusual risk is adequately covered by a policy of insurance for the duration of the Applicant's use of the Site, including during any preparation, disassembly and clean-up of the Site.

REFUSAL, SUSPENSION OR CANCELLATION OF A PERMIT

34. The Director may refuse to issue, suspend or cancel a Permit if:
 - a. any part of the application for the Special Event is incomplete or inaccurate;
 - b. the Special Event conflicts with another Special Event for which a Permit has been issued pursuant to this Bylaw;
 - c. there are insufficient police or emergency services available for the Special Event;
 - d. the Applicant or Permittee fails to obtain a permit, licence, approval or authorization required by a Public Authority, a Local Authority or the Municipality in respect to the Special Event;
 - e. the Applicant or Permittee fails to provide proof of insurance required pursuant to this Bylaw;

- f. the Applicant or Permittee fails to ensure compliance with a term or condition of the Permit applicable to the Special Event;
- g. the Applicant or Permittee has failed to ensure compliance with a provision of this Bylaw or other provincial or federal law or enactment;
- h. the Special Event is violent or threatens violence or may pose a danger to the health and safety of any Person;
- i. the Special Event will cause, or the Special Event or its Attendees do cause, damage to Public Property;
- j. the Special Event promotes or condones illegal activity, including the use of illicit substances;
- k. the Special Event will cause or causes cruelty to animals;
- l. the Special Event will adversely affect or adversely affects wildlife or wildlife habitats;
- m. the Special Event will adversely affect or adversely affects the use and enjoyment of public services and amenities for Persons who are not Attendees to the Special Event;
- n. the Special Event will adversely affect or adversely affects communities and infrastructure outside of the Municipality;
- o. the Special Event exposes, advocates or justifies hatred against any Person or class of Persons on the basis of the race, ancestry, place of origin, religion, marital status, family status, physical or mental disability, gender, sexual orientation, gender identity or expression, or age of that Person or class of Persons; and
- p. the Special Event excludes, either indirectly or directly, Attendees based on race, ancestry, place of origin, religion, marital status, family status, physical or mental disability, gender, sexual orientation, gender identity or expression, or age of that Person or class of Persons, except those exclusions necessary for health and safety.

35. The Director may impose specific terms and conditions on a Permit in relation to the refusal, suspension or cancellation of a Permit.

36. If the Director refuses a Permit application or suspends or revokes a Permit, the Director must provide the Applicant or Permittee notice of and written reasons for

- a. the refusal, suspension or revocation, and
- b. the opportunity to be heard by Council for reconsideration.

RECONSIDERATION BY COUNCIL

37. An Applicant or Permittee may request that Council reconsider the Director's decision to refuse, suspend, or cancel a Permit by delivering to the Corporate Officer of the Municipality a written request stating the grounds upon which the request for reconsideration is based within ten (10) business days of the date of the notice of refusal, suspension or cancellation.

38. A Permittee may request that Council reconsider the Director's decision to draw down on the security deposit amount in accordance to section 16 or to require reimbursement for costs incurred or expected to be incurred by the Municipality in connection with such losses, damages, fines, penalties in accordance with section 17 by, within ten (10) business days of the date of the notification of the decision, delivering to the Corporate Officer of the Municipality a written request stating the grounds upon which the reconsideration request is based.

ENFORCEMENT

39. The Director and Bylaw Services staff are hereby authorized to enter at all times upon the Site of the Special Event to ascertain whether the regulations and provisions of this Bylaw are being or have been complied with.

40. No Person shall obstruct the entry of the Director or other authorized officials of the Municipality on the Special Event Site in the administration of this bylaw.

41. At any time, the Director or other authorized staff may require a Permittee to provide proof of any Permit, licence, approval or authorization that is required by a Public Authority, a Local Authority or the Municipality with respect to the Special Event.

42. Every Person who:

- a. violates any of the provisions of this Bylaw;
- b. causes or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw;
- c. neglects or omits to do anything required under this Bylaw;
- d. carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to any of the provisions of this Bylaw; or
- e. fails to comply with an order, direction or notice given under this Bylaw is guilty of an offence under this Bylaw.

43. Every Person who commits an offence and, upon summary conviction, shall be liable to a penalty of not less than one hundred dollars (\$100) and not more than the maximum penalty provided under the Offence Act, and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence. The penalties imposed under this section will be in addition to and not in substitution for any other penalty or remedy imposed by this Bylaw or any other enactment.

44. Each day that an offence against this Bylaw continues or exists will be deemed to be a separate and distinct offence.

NOTICE

45. The Director may deliver written notice to an Applicant or Permittee personally or by mail:

- a. if the Permit applicant or Permittee is a corporation, delivering or mailing the notice to the corporation's registered office; or
- b. delivering or mailing the notice to the address of the Permit applicant or Permittee provided on the Permit application. Notice delivered in accordance with this section is presumed to have been received by the Permit applicant or Permittee, if delivered personally, on the date of delivery and, if delivered by mail, on the seventh day after the notice is mailed.

SEVERANCE

46. If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

CITATION

47. This Bylaw may be cited for all purposes as "Special Event Bylaw 2024 No. 2196".

READ A FIRST TIME on the 19th day of November, 2024
READ A SECOND TIME on the 19th day of November, 2024
READ A THIRD TIME on the 19th day of November, 2024

ADOPTED on the 3rd day of December, 2024





Acting Mayor (T. McKay)



Corporate Officer (S. Bouma)

BYLAW STATUS SHEET

June 3, 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. Waiting on the applicant to meet the conditions of approval and provide the Town with documentation. Covenant can be completed once Town receives consolidated parcel confirmation.
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. Waiting on applicant to submit Development Permit per Council Resolution.
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. Waiting on the applicant to meet the conditions of approval and provide the Town with documentation. Covenant can be completed once Town receives consolidated parcel confirmation.
2173	"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, No. 2173". To allow storage capabilities at 10910 Westdowne Road.	First and second readings, December 17, 2024. Public Hearing and third reading January 21, 2025. Waiting on the applicant to provide a Stormwater Management Plan and stormwater covenant retainer. MOTI requires a commercial access permit and driveway access improvements.



May 29, 2025

Reference: 186562

Dear Mayors and Board Chairs:

On June 30, 2025, we will pass the one-year anniversary when most local governments implemented the Small-Scale Multi-Unit Housing (SSMUH) requirements. As I reflect on this historic change, I want to thank you and your staff for the hard work you have undertaken to achieve this important zoning reform. We are now starting to see a range of housing types in the planning and building stages advance across the province to deliver diverse options in what were traditionally restrictive single-family neighbourhoods.

We have been monitoring progress on implementation and are seeing many local governments championing SSMUH by speeding up or waiving unnecessary processes and requirements and creating or adopting standardized housing designs. In these communities, we are starting to see strong uptake of SSMUH.

However, monitoring has also identified ongoing barriers to building SSMUH, including inconsistency in how some local governments have applied the requirements and site-level conditions. In places, restrictive and excessive site standard requirements are adding additional costs, time, and uncertainty to SSMUH development. Areas that did not fully adopt SSMUH as intended and communities with onerous, ambiguous, or subjective form and character development permit requirements are reducing the viability of building new small-scale multi-unit housing. As a result of these barriers, it is still easier to build single-family homes in many communities, and the diversity of housing needed by people in our communities is still not being met.

I am writing today to encourage you to review your bylaws and requirements for alignment with the guidelines in the SSMUH Provincial Policy Manual and Site Standards. Specifically, please ensure you have progressive site standards for three-to-six-unit developments by allowing building heights of 3 storeys and 11 metres, aligning with the policy manual site standards packages for lot coverage.

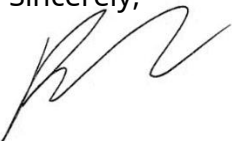
Page 1 of 2

Communities should also enable all housing configurations and types and should not use form and character development permit area requirements for small-scale multi-unit housing, as they can cause delays that interfere with the viability of projects. For three-to-four-unit projects, you should consider aligning with the recommended one parking space per unit in your parking minimums, leaving it to home builders to determine if more parking is appropriate for the location. And for those of you that have areas in your community that don't yet comprehensively allow for it, I ask that you ensure that your zoning allows SSMUH on all lots that allow single family residential, duplexes, and houses with a secondary suite and accessory dwelling unit.

People in our province need the greater diversity of housing that these changes are designed to unlock, and our government has a responsibility to act where these needs remain unmet. If all local governments do not align with the guidelines and intent of the legislation, it is my intention to continue to strengthen the legislated requirements to ensure more consistent standards are established across the province. Greater alignment with the requirements and guidelines will help encourage SSMUH development and increase the supply of the homes that people in our communities need, and moving forward in earnest now will minimize your future work to align with any forthcoming legislative changes.

I recognize that the vast majority of communities have been taking action and are seeing the benefits of their action in new housing coming forward in their communities. To those who continue to demonstrate leadership by enabling the conditions for these homes to be built, I offer my sincere appreciation for the work that you and your staff are undertaking.

Sincerely,



Ravi Kahlon
Minister of Housing and Municipal Affairs

Link: Small-Scale Multi-Unit Housing Provincial Policy Manual and Site Standards:
https://www2.gov.bc.ca/assets/gov/housing-and-tenancy/tools-for-government/local-governments-and-housing/ssmuh_provincial_policy_manual.pdf

CC: Teri Collins, Deputy Minister, Ministry of Housing and Municipal Affairs