

TOWN OF LADYSMITH

A REGULAR MEETING OF THE
COUNCIL OF THE TOWN OF LADYSMITH
WILL BE HELD IN COUNCIL CHAMBERS AT CITY HALL ON

MONDAY, JUNE 20, 2011
7:00 p.m.



A G E N D A

CALL TO ORDER

Page

1. AGENDA APPROVAL

2. EXECUTIVE SESSION (5:45 P.M.)

In accordance with Section 90(1) of the *Community Charter*, this section of the meeting will be held *In Camera* to consider the following items:

- the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality
- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose

3. MINUTES

3.1. Minutes of the Regular Meeting of Council held June 6, 2011

1 - 12

4. PUBLIC HEARING

None

5. DELEGATIONS

5.1. Edna Sigsworth
Ladysmith Quilt

6. PROCLAMATIONS

None

7. DEVELOPMENT PERMITS / DEVELOPMENT VARIANCE PERMITS

None

8. STAFF / ADVISORY COMMITTEE REPORTS

8.1. Secondary Suites – Consultation, Policy and Regulation

13 - 56

8.2. Stocking Lake Supply Main and Interconnecting Main Tender

57 - 61

8.3. Electoral Assent for Approval of Borrowing to Fund Water Works Project

62 - 63

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| 8.4. Development Cost Charges – New Bylaw and Bylaw Review Policy | 64 – 67 |
| 9. BYLAWS | |
| 9.1. Town of Ladysmith Development Cost Charges Bylaw 2011, No. 1762 May be read a first, second and third time. The report concerning Bylaw 1762 will be considered by Council under Agenda Item 7.4 | 68 – 74 |
| 9.2. Town of Ladysmith Election Procedures and Automated Voting Bylaw 1999, No. 1339 Amendment Bylaw 2011, No. 1764 May be adopted. <i>The purpose of Bylaw 1764 is to amend the Election Procedures and Automated Voting Bylaw to permit voting by mail-in ballot. Council gave first three readings to Bylaw 1764 on June 6, 2011.</i> | 75 – 77 |
| 10. CORRESPONDENCE | |
| 10.1. Hon. Ida Chong, Minister of Community, Sport and Cultural Development Approval of a Towns for Tomorrow Grant for the Water Supply System Hydraulic Energy Recovery Project <u>Staff Recommendation:</u> That Council accept the Towns for Tomorrow Grant in the amount of \$375,000 for the water supply system hydraulic energy recovery project, and send a letter of appreciation to the Minister of Community, Sport and Cultural Development. | 78 |
| 10.2. Hon. Steve Thomson, Minister of Forests, Lands and Natural Resource Operations Operations Response to Town correspondence expressing concern about B.C.'s Heritage Program <u>Staff Recommendation:</u> That Council receive the correspondence from the Minister of Forests, Lands and Natural Resource Operations dated June 1, 2011 | 79 – 80 |
| 10.3. Kit Wilmot, Ladysmith and District Historical Society Letter of Thanks for Grant in Aid <u>Staff Recommendation:</u> That the letter from the Ladysmith and District Historical Society dated June 6, 2011 be received. | 81 |
| 10.4. Dave Ehrismann, Ladysmith Maritime Society Request to Waive Building Permit Fee for Visitor Reception Centre <u>Staff Recommendation:</u> That council consider whether it wishes to waive the building permit fee for the construction of the Ladysmith Community Marina Visitor Reception Centre. | 82 |

**10.5. Mayor Lorne Fisher, District of Kent
Municipal Police Service Agreement****83 - 87**Staff Recommendation:

That Council consider whether it wishes to write to the Premier of British Columbia requesting positive changes in the police formula for communities with a population between 5,001 and 20,000.

11. NEW BUSINESS**11.1. Sponsorship of Chamber of Commerce Golf tournament**

It is recommended that Council provide a grant in aid of \$200 to the Ladysmith Chamber of Commerce to sponsor the hole-in-one prize for the Chamber's annual golf tournament fundraiser (hole in one).

12. UNFINISHED BUSINESS**13. QUESTION PERIOD**

- 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 must relate strictly to matters which appear on the Council agenda at which the individual is speaking
- Questions put forth must be on topics which are not normally dealt with by Town staff as a matter of routine
- Questions must be brief and to the point
- Questions shall be addressed through the Chair and answers given likewise. Debates with or by individual Council members or staff members are not allowed
- No commitments shall be made by the Chair in replying to a question. Matters which may require action of the Council shall be referred to a future meeting of the Council

ADJOURNMENT



LADYSMITH

MINUTES OF A MEETING OF COUNCIL OF THE
TOWN OF LADYSMITH
HELD IN COUNCIL CHAMBERS AT CITY HALL ON
JUNE 6, 2011

COUNCIL MEMBERS PRESENT:

Mayor Rob Hutchins
Councillor Jillian Dashwood
Councillor Bruce Whittington

Councillor Steve Arnett
Councillor Lori Evans

Councillor Scott Bastian
Councillor Duck Paterson

STAFF PRESENT:

Ruth Malli
Joanna Winter

Felicity Adams

Erin Anderson

CALL TO ORDER

Mayor Hutchins called the meeting to order at 4:02 p.m.

EXECUTIVE SESSION

2011-237

It was moved, seconded and carried that Council retire into Executive Session at 4:02 p.m.

ARISE AND REPORT

Council arose from Executive Session without report.

AGENDA APPROVAL

Mayor Hutchins called the Regular meeting of Council to order at 7:00 p.m.

Mayor Hutchins requested Council's consideration of the following addition to the agenda:

- Move 6.1 Good Neighbour Award Presentations to the top of the agenda
- Add 13.3 - Public Input Period Review Committee Recommendations

2011-238

It was moved, seconded and carried that the agenda for the Council Meeting of June 6, 2011 be adopted as amended.

GOOD NEIGHBOUR
AWARDS

Mayor Hutchins presented Good Neighbour Awards to the following individuals whose names were drawn at random from the 27 nominations received:

- Terry Duffy
- Tony Fletcher
- Ed Gatey
- Carol Laxdal
- Karen and Gary McBurney

The Good Neighbour Awards recognize Ladysmith citizens who go out of their way to help their neighbours throughout the year; they are nominated by their neighbours. On behalf of Council, Mayor Hutchins congratulated all the nominees for the 2011 Good Neighbours Award, and thanked the nominators for wanting to recognize their actions.

MINUTES

2011-239

It was moved, seconded and carried that the minutes of the Regular Meeting of Council held May 16, 2011 be approved as circulated.

PUBLIC HEARING

APPLICANT:

Satpal (Steve) Pabla
Jerry Ellins, Architect

PUBLIC ATTENDANCE: 9

A Public Hearing for Bylaw 1753 and Bylaw 1754 was held in Council Chambers at City Hall, 410 Esplanade, Ladysmith, B.C. on Monday, June 6, 2011 at 7:10 p.m.

Mayor Hutchins welcomed the public and noted that the public input portion of the hearing would take place in two parts - Part 1 would entertain questions clarifying the project or bylaw and Part 2 would afford attendees an opportunity to provide comments to Council on the proposed development.

Felicity Adams, Director of Development Services, provided an overview of the application submitted by Satpal (Steve) Pabla. She noted that the legal description of the subject property is Lot 7 and Lot 8, District Lot 24, Oyster District, Plan 703A. The property is located at 11 and 17 Warren Street.

The purpose of Bylaw 1753 is to amend the Official Community Plan (OCP) to add policy to allow density bonus increases up to 110 units per hectare for residential development in the 'Downtown Mixed Use' designated area when amenities are provided that contribute to reducing the impacts of climate change (such as highly energy efficient buildings and using alternative energy sources). The OCP currently permits up to 100 units per hectare when amenities such as senior's housing/affordable housing/underground parking are provided.

The purpose of Bylaw 1754 is to amend the Zoning Bylaw to rezone the subject properties as "Downtown Residential Mixed

Use Zone (R-4)” to permit one at-grade commercial space and 14 multi-family resident units (110 units per hectare) when amenities are provided. The following amenities are included in Bylaw 1754:

- Use of the building will be free of rental restrictions
- Two adaptable dwelling units as defined by the Building Code of British Columbia will be included in the building
- The building will meet or exceed the ASHRAE 90.1 (2004) energy performance standards. ('ASHRAE' is the American Association of Heating, Refrigeration and Air Conditioning Engineers - included in the BC Building Code in 2008 for larger buildings (4+ storeys). It is the world's best known energy standard for buildings. It uses building science to achieve energy efficiency. The Green Building Leaders research showed that for Ladysmith to reduce its community GHG emissions energy efficient buildings are key.)
- Indoor bicycle storage for 11 bicycles will be provided.

The commercial operation is limited to the hours of 7:00 a.m. to 10:00 p.m.

Council has provided direction that a land use agreement (covenant) is to be registered on the certificate of title for the subject properties to also secure the following:

- a performance bond (1% of construction costs) to secure the commitment that the building will meet the ASHRAE 90.1 (2004) energy performance standard;
- a contribution of \$14,000 toward the Town's community amenity fund;
- the December 2010 Ellins Architect Inc. site plan and building elevation drawings for 11 and 17 Warren Street (which includes indoor bicycle storage);
- a commitment to installing a permeable parking area and landscaping with primarily native species; and
- a commitment to no restrictions on the renting of the residential units.

Council referred the bylaws to the Advisory Planning Commission and the Advisory Design Panel which made the following recommendations:

April 14, 2009 – Advisory Planning Commission:
It was moved, seconded and carried that the Advisory Planning Commission recommends to Council approval of rezoning 3360-09-01 (Pabla) on the condition that the developer achieve the following:

- Develop an environmentally friendly parking area;
- Manage all storm water on-site;
- Every effort shall be made to re-use the existing dwelling on-site by moving it to another location and/or to re-use the building's wood; and
- Create a separate strata corporation for the commercial and residential uses.

February 16, 2011 – Advisory Design Panel:

It was moved, seconded and carried that the Advisory Design Panel (ADP) advises Council that it supports the rezoning to a 14 unit residential building and supports the proposed designs by J. Ellins (dated Dec. 2010).

In April 2009, the APC and ADP considered an earlier design proposal presented by a different proponent for this property, which neither supported.

The applicant held a Neighbourhood Information Meeting on May 13, 2011 at Frank Jameson Community Centre from 5 p.m. to 7 p.m. The notice of the meeting was placed in The Chronicle newspaper on May 10, 2011. The applicant provided the following report:

One person attended the meeting and inquired about the hours of operation for the proposed business.

The Public Hearing notice was printed in the Chronicle newspaper on May 24, 2011 and May 31, 2011 and posted on community notice boards throughout Town and on the Town's website. Notices were also mailed and delivered to neighbouring property owners and a copy was made available at the front counter at City Hall for the two week notice period.

There have been no written submissions and no telephone or in-person enquiries received at City Hall in connection with this Public Hearing.

Mayor Hutchins introduced the applicant's architect, Jerry Ellins, who made a short presentation regarding the proposed development.

Mayor Hutchins called for questions a first time.

Wayne Johnson, 26 Warren Street, enquired why the proponent had not attended the public information session, whether the designated bus zone in front of the building could affect the

proposed parking plan, and whether there is adequate room for access to the building from the rear.

Mr. Ellins responded that he was unable to attend the meeting as he was out of Town on business. He stated that a staff member and Mr. Avtar Pabla attended the public meeting. Mr Ellins pointed out that the design includes adequate space for parking and access and that both were reviewed by the ADP and the APC. Ms Adams advised that the Town is encouraging better use of its rear lanes and that this proposal addresses that.

Mayor Hutchins called for questions a second time.

Mayor Hutchins called for questions a third time.

Mayor Hutchins called for comments a first time.

Wayne Johnson, 26 Warren Street, pointed out that he did not feel the proponents employed effective communications techniques in publicizing the public meeting and in responding to enquiries from neighbours and members of the public, and stated that he hopes communications from the proponents will improve in future.

Mayor Hutchins called for comments a second time.

Mayor Hutchins called for comments a third time.

Hearing no comments Mayor Hutchins called for any written submissions.

Hearing no further comments and receiving no written submissions, Mayor Hutchins declared the Public Hearing for Bylaw 1753 and Bylaw 1754 closed at 7:21 p.m.

OCP / ZONING BYLAWS

2011-240

Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 36) 2011, No. 1753

It was moved, seconded and carried that Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 36) 2011, No. 1753, be read a third time.

2011-241

Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 86) 2011, No. 1754

It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw 1995 No. 1160, Amendment Bylaw (No. 86) 2011,

No. 1754 be read a third time.

DELEGATIONS

**Dan Little, Cara Light, Hayes Stewart – Auditors
Town of Ladysmith 2010 Financial Statements.**

Mr. Little and Ms Light presented the results of the 2010 audit to Council.

The Director of Financial Services reviewed the audited financial statements for 2010 for Council.

2011-242

It was moved, seconded and carried that the Town of Ladysmith Draft Financial Statements for 2010 be approved.

**DEVELOPMENT PERMITS
& DEVELOPMENT
VARIANCE PERMITS**

2011-243

Artisan Properties – Lot 3, District Lot 108, Oyster District, Plan VIP88238 (512 Jim Cram Drive) – Development Permit

It was moved, seconded and carried that Development Permit 3060-11-09 be issued to permit a 48 unit town house development at 512 Jim Cram Drive (Lot 3, District Lot 108, Oyster District, Plan VIP88238), subject to the determination of the value of the landscape bond; and that the Mayor and Corporate Officer be authorized to sign the Development Permit.

The proponent agreed to work with the Fire Department to ensure that house numbers are assigned appropriately.

2011-244

The proponent stated that there are accessible parking spaces and that the ground floor units are level entry so they are accessible for people with mobility issues. He added that adaptations inside the homes for people with limited mobility would be made in conjunction with the home buyer.

2011-245

Ladysmith Marina – DL2061, Lease 0114642 (12335 Rocky Creek Road) – Development Permit Amendment and Development Variance Permit

It was moved, seconded and carried that Development Variance Permit 3090-11-02 be approved for District Lot 2061, Lease 0114642 (12335 Rocky Creek Road) to vary the height of boat houses from nine metres to 11 metres for Dock A and that the Mayor and Corporate Officer be authorized to sign Development Variance Permit 3090-11-02.

2011-246

It was moved, seconded and carried that Development Permit

3060-11-12 be issued in order to amend the site plan for Ladysmith Marina Development Permit 3060-06-06, and that the Mayor and Corporate Officer be authorized to sign the Development Permit.

**COUNCIL COMMITTEE
REPORTS**

Mayor Hutchins requested Council's attendance at a Town Hall meeting on Monday, June 27, 2011 at 6:30 p.m. to seek public input into Town priorities and activities. Councillors Paterson, Dashwood and Whittington volunteered to assist in organizing the session.

Government Services Committee Recommendations

2011-247

It was moved seconded and carried that staff be authorized to tender the construction of the centralized water treatment facility, the dual pipeline from the south end chlorinator to the Arbutus Reservoir, and the new power supply, to be funded from the Water Utility Reserve Fund.

2011-248

It was moved, seconded and carried that Dog Licensing, Control and Pound Bylaw No. 1155 be amended to include the option of enrolment in the Canine Good Neighbour Certification Program in order for restricted breed dogs and dog owners to qualify for exemption from restricted breed regulations as outlined in the bylaw.

2011-249

It was moved, seconded and carried that staff be requested to review the previous report on the investigation into installing angle parking in the vicinity of 320 - 322 First Avenue, and report back to Council.

Ladysmith Maritime Festival

2011-250

It was moved seconded and carried that a letter of thanks and congratulations be sent to the Ladysmith Maritime Society for organizing a highly successful 2011 Maritime Festival.

**STAFF / ADVISORY
COMMITTEE REPORTS**

2011-251

Heritage Revitalization Advisory Commission – Museum Initiative
It was moved, seconded and carried that support be provided to the Ladysmith and District Historical Society in finding grants and a location for the establishment of a museum in Ladysmith, and that key partners include the Town, Ladysmith and District Historical Society, Ladysmith Maritime Society, Stz'uminus First Nation, local businesses and other Town commissions/committees.

2011-252

Ladysmith Solar Community Program

It was moved, seconded and carried that staff be requested to investigate the potential of and develop a recommendation for the Town's contribution toward the purchase and installation of a photovoltaic system that would generate electricity to offset the energy used during the Festival of Lights and to feed into BC Hydro's grid during the rest of the year.

Councillor Evans opposed.

2011-253 Tender for Purchase of a Rotary Mower
It was moved, seconded and carried that the contract for the replacement of Unit 70, a 2001 rotary mower, be awarded to Oakcreek Golf & Turf for the total price of \$56,806.40, with the funds to come from the Equipment Replacement Fund.

2011-254 Temporary Waiver of Council Policy #2000-594
It was moved, seconded and carried that the cheque signing policy be waived for payments under \$5,000 for the duration of the Canada Post Strike.

2011-255 Proposed Loan Authorization Bylaw
It was moved, seconded and carried that the staff report regarding proposed Loan Authorization Bylaw No. 1763 be received.

2011-256 Proposed Amendments to Election Procedures and Automated Voting Bylaw to Include Provisions for Voting by Mail Ballot
It was moved, seconded and carried that the staff report regarding a proposed bylaw to amend the Election Procedures and Automated Voting Bylaw to include provisions for voting by mail ballot be received.

2011-257 Proposed Spirit Square Enhancements
It was moved, seconded and carried that funding of \$40,000 be redirected from the Amphitheatre project to the Spirit Square project, to provide additional tiered seating at the south east corner of the site as well as sprinklers and natural food planting in the remaining gardens, and that the Financial Plan be amended accordingly.

Councillor Evans opposed.

CORRESPONDENCE

2011-258 Chris Wood
Dog Licensing, Control and Pound Bylaw Committee Recommendations
It was moved, seconded and carried that the correspondence

from Chris Wood dated June 1, 2011 regarding the Dog Licensing, Control and Pound Bylaw Committee Recommendations be received.

BYLAWS

2011-259 Ladysmith Heritage Revitalization Advisory Commission Bylaw 1994, No. 1279, Amendment Bylaw 2011, No. 1760
It was moved, seconded and carried that Ladysmith Heritage Revitalization Advisory Commission Bylaw 1994, No. 1279, Amendment Bylaw 2011, No. 1760 be adopted.

2011-260 Town of Ladysmith Water System Construction Loan Authorization Bylaw 2011, No. 1763
It was moved, seconded and carried that Ladysmith Water System Construction Loan Authorization Bylaw 2011, No. 1763 be read a first, second and third time.

2011-261 Town of Ladysmith Election Procedures and Automated Voting Bylaw 1999, No. 1339, Amendment Bylaw 2011, No. 1764
It was moved, seconded and carried that Town of Ladysmith Election Procedures and Automated Voting Bylaw 1999, No. 1339, Amendment Bylaw 2011, No. 1764 be read a first, second and third time.

NEW BUSINESS

Councillor Paterson declared a possible conflict of interest with the following agenda item and left the meeting.

2011-262 Attendance at Saving Small Towns Conference
It was moved, seconded and carried that Town of Ladysmith Election Procedures and Automated Voting Bylaw 1999, No. 1339, Amendment Bylaw 2011, No. 1764 be read a first, second and third time.

2011-263 Proposed Resolution Regarding Cat Licensing
It was moved, seconded and carried that the following Resolution regarding Cat Licensing to go forward from BC Nature to the Union of BC Municipalities be endorsed.

Resolution 2011-01 Cat Licensing (*Submitted by Victoria Natural History Society*)

WHEREAS cats that roam free, whether owned, stray, or feral, kill birds and other wildlife, including endangered species; and

WHEREAS free-roaming cats spread disease to other cats, wildlife, and humans; and

WHEREAS free-roaming cats often lead short, traumatic, and painful lives; and

WHEREAS as part of BC Nature's role as a steward of this province's biological diversity, it is incumbent upon us to be doing all we can to preserve and protect our region's wildlife; and

WHEREAS many communities in other provinces have already recognized the importance of responsible pet ownership and have extended pet requirements to cover cats as well as dogs. These communities include, but are not limited to, Calgary, Edmonton, Regina, and Toronto;

THEREFORE BE IT RESOLVED that BC Nature urge the BC Union of Municipalities to encourage member municipalities to implement cat licensing, as well as control and restraint ordinances, to help ensure that cats receive the care and protection they deserve. Progressive provisions found in ordinances should include the following:

- Requirement for all cats to be licensed;
- Mandatory spay/neuter of all cats over six months of age, unless owner purchases annual intact permit and/or breeders permit. Medical exemptions can be offered;
- Requirement for all cats to be vaccinated against rabies; and
- Cats must be confined to their owner's property or physically restrained when off the premises.

Recommendations from the April 15, 2011 Public Input Period Review Committee Meeting

2011-264

It was moved, seconded and carried that the recommendations from the Public Input Period Review Committee be adopted as follows:

- Monthly dialogue session entitled "Public Dialogue with Council" to occur the first Monday of each month from 6:30 p.m. to 6:55 p.m.
- Pre-registration of speakers is not required
- Attendees are requested to sign a "sign in" sheet
- Staff attendance is not required at these dialogue sessions other than the Recording Secretary
- Recording Secretary prepares notes which reflect the general discussion/points raised during the session including commitments made by Council to respond to queries for which a response was not provided during the

session. Notes are a separate document and do not form part of regular Council minutes

- The imposition of a time limit for speakers is at the discretion of the Chair
- The initial "Public Dialogue with Council" session to be held at the July 4, 2011 regular Council meeting.

UNFINISHED BUSINESS

2011-265

Resolution for 2011 Union of British Columbia Municipalities Conference

It was moved, seconded and carried that the following resolution be approved and referred to the Union of BC Municipalities for consideration at the 2011 convention:

WHEREAS many local governments draw surface water for their water systems, and such sources are vulnerable to degradation and pollution caused by a variety of industrial and recreational activities;

AND WHEREAS watersheds are not recognized in legislation, leaving local governments without adequate tools to enact measures for the protection of watersheds;

AND WHEREAS many local governments get their drinking water from sources on privately owned land;

AND WHEREAS municipalities are experiencing changing environmental conditions;

AND WHEREAS the provincial health authorities are increasing the requirements for the provision of clean water from local government water systems:

THEREFORE BE IT RESOLVED that UBCM request the provincial government to develop a funding program that facilitates local government acquisition of both the watershed and adjacent land for those local governments with water systems on privately owned land;

AND BE IT FURTHER RESOLVED that all activities in watersheds used for drinking water be subject to final approval and control by the major water license holders and the Ministry of Environment (MOE), and that MOE be legislatively required to ensure that the quality and quantity of water in watersheds meet provincial health requirements.

QUESTION PERIOD

R. Johnson was advised that the Town's contribution to the Spirit Square project was \$500,000, and that the motion passed at

this meeting adds an additional \$40,000 to that amount.

R. Johnson was advised that the revenue anticipation bylaw is a separate matter and has a different purpose from the proposed Loan Authorization Bylaw for the water supply system upgrades.

R. Johnson was advised that the purchase of LED light bulbs is not permitted under the terms of the Solar Energy grant.

M. Peterson requested a copy of the Auditors. comments.

R. Johnson was advised that the Annual Report will be produced by June 30 in accordance with the legislation.

ADJOURNMENT

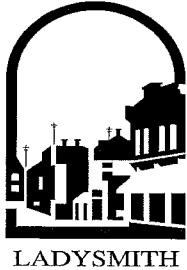
2011-266

It was moved, seconded and carried that this meeting of Council be adjourned at 8:10 p.m.

Mayor (R. Hutchins)

CERTIFIED CORRECT

Corporate Officer (S. Bowden)



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Director of Development Services
Date: June 13, 2011
File No: 3760-02

Re: **SECONDARY SUITES – CONSULTATION, POLICY & REGULATION**

RECOMMENDATION(S):

That Council support the phased implementation of secondary suite policy and regulation, through the creation of:

Phase 1

- (a) zoning regulations for in-home secondary suites consistent with the secondary suite regulations in the BC Building Code;
- (b) relaxed standards for the approval of existing in-home secondary suites;
- (c) advisory design guidelines for in-home suites;
- (d) land use (OCP) policy to support detached secondary suites (coach houses and ground-oriented cottage suites); and

Phase 2

- (e) new regulations and design standards for detached secondary suites within the scope of work for the Zoning Bylaw project.

PURPOSE:

The purpose of this report is to provide Council the results of the secondary suites consultation and to provide recommended directions for policy and regulation.

INTRODUCTION/BACKGROUND:

At its meeting held February 7, 2011, Council awarded the consulting contract for the Secondary Suites study to CitySpaces Consulting Ltd. The contract provided for community education and consultation, telephone survey (200), development of policy options, and drafting of regulations.

The community consultation commenced in April, 2011 with three topic-based neighbourhood forums, a telephone survey (200), and concluded with two open house events in May, 2011. An on-line survey was also provided and a “Good Practices” research paper prepared. The Consultation Summary report prepared by the consultants is attached to this report.

SCOPE OF WORK:

In summary, the findings from the community consultation showed a high-level of support for secondary suites within residences. While still showing positive support, there was a lower level of support for units above a garage and ground-oriented

detached units. The “Recommended Policy Direction” prepared by the consultants is attached to this report.

To implement Phase 1 of the recommended policy, the following work is required. It is recommended that Phase 2 be undertaken as part of the Zoning Bylaw project.

Phase 1 summary,

Official Community Plan (OCP) Amendments

- Add new policy to support detached suites (e.g. coach houses and ground-oriented cottage suites), subject to guidelines and regulations.

Zoning Bylaw Amendments

- Prepare zoning regulations to permit in-home suites, including size and parking regulations.

Building and Plumbing Bylaw Amendments

- Prepare bylaw amendments for new in-home suites to meet the standards in the British Columbia Building Code.
- Create bylaw amendments for relaxed standards for existing in-home suites. (The Building Inspector and Fire Chief would both be involved in this work.)

Good Practices

- Prepare advisory-only design guidelines for in-home suites.

If Council supports the staff recommendation, it is intended that the OCP and Zoning Bylaw amending bylaws would be presented to Council for consideration of readings and the scheduling of a public hearing in July with a Public Hearing to be scheduled in August, 2011.

ALTERNATIVES:

That Council not proceed with secondary suite regulations at this time.

FINANCIAL IMPLICATIONS:

This project is funded in the current financial plan.

LEGAL IMPLICATIONS:

If Official Community Plan amendments are proposed a public hearing is required to be held. A public hearing for Zoning Bylaw amendments consistent with the OCP could be waived; notice of waiver is required.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The project provided significant opportunity for the public to provide input into Council’s deliberations on secondary suites, including neighbourhood-based meetings, telephone survey, and community open house events. It is anticipated that residents and property owners will be supportive of moving ahead with secondary suite policy and regulations.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The project includes in-house education for the planning staff, building inspector and bylaw enforcement officer. This work will take place at the end of the project.

RESOURCE IMPLICATIONS:

The project is managed by the Development Services Department with the Director as the key resource. Corporate Services has been involved in posting material to the Town's website and including project information in Town mailings and announcements.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

Complete community land use is the first of eight pillars in the Ladysmith sustainability strategy.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Undertaking a secondary suites policy and regulations study with community involvement is a Council priority. Effective land use planning and community design are strategic directions.

SUMMARY:

Community consultation regarding secondary suites was held during April to May 2011. The public is supportive of all types of secondary suites, subject to conditions and regulations. The support is greatest for in-home suites which is consistent with current OCP policy. A phased approach to implementation is recommended.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

- "Consultation Summary, June 2011" prepared by CitySpaces Consulting
- "Recommended Policy Direction and Approach, June 2011" prepared by CitySpaces Consulting



Ladysmith

SECONDARY SUITES – CONSULTATION, POLICY & REGULATION

CONSULTATION SUMMARY

JUNE 2011

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INTRODUCTION

The Town of Ladysmith is undertaking a review of secondary suites regulation, leading to proposed changes to the Official Community Plan (OCP) and Zoning Bylaw. Affordable housing is a strategic priority for the Town, and in an era when there is very little new “purpose-built” rental housing, secondary suites have become an important addition to the rental supply in British Columbia.

The Town places a high level of importance on providing residents and property owners with information about successful secondary suites programs in other jurisdictions, as well as meaningful opportunities to provide input into developing a policy and subsequent regulations, that are a “best fit” for Ladysmith. Both neighbourhood and community-wide opportunities for education and input are important.

The following is a summary of the consultation, communications and outreach activities, undertaken as part of the *Ladysmith Secondary Suites — Consultation, Policy and Regulations* project, and their results.

CONSULTATION GOALS

The goals of the consultation program were to:

- Provide a range of opportunities for residents to participate in the development of appropriate secondary suites policy for Ladysmith,
- Provide information about good secondary suites practices from other communities; and
- Gauge the level of community support for various aspects of secondary suites policy.

CONSULTATION ACTIVITIES

The consultation program comprised the following activities, undertaken between April and June 2011:

- Preparation and distribution of a briefing paper summarizing current successful secondary suites practices from other communities — *Good Practices: Secondary Suites*;
- Outreach to community agencies to encourage participation from a broad cross-section of the community – both tenants and homeowners;
- Neighbourhood-based community education and discussion forums;
- Distribution of a secondary suites comment form;
- Random sample, statistically significant telephone survey;
- Web-based, self-selecting survey (not statistically significant) on the Town’s website;
- Community-wide Open Houses with a questionnaire; and
- Open House materials and questionnaire available on the Town’s website.

Good Practices Paper

CitySpaces prepared a summary of good secondary suites practices from other communities. The paper includes practices to address common issues, such as traffic and parking, character and exterior design, privacy, noise and occupancy considerations. In addition, the paper highlights what others are doing in areas like secondary suites contributions to sustainability, incentives to create safe legal suites, how to maintain affordability, the importance of information and education, as well as some considerations specifically for the Ladysmith context.

The paper — *Good Practices: Secondary Suites* — is available on the Town's website, and was made available at the second and third community forums, the community-wide Open Houses and at the Home, Garden and Business Show.

Outreach

Efforts were made to ensure that all residents — both tenants and homeowners — had the opportunity to participate. In addition to paid advertising, posters and information leaflets, information about the secondary suites review and invitations to consultation events were provided to:

- Social Planning Cowichan;
- Ladysmith Resources Centre;
- Ladysmith Library;
- Frank Jameson Community Centre;
- Ladysmith Interagency Network (the network of community service providers); and
- Ladysmith Home, Garden and Business Show.

Community Forums

Three community forums were held to discuss various aspects of secondary suites policy. These were held in different geographic locations across the town, and were scheduled on consecutive Wednesday evenings in April 2011. The forums had two purposes.

1. To provide information to residents, both homeowners and tenants, on various aspects of secondary suites, i.e., community education.
2. To provide an initial opportunity for residents to express their views, and ideas about secondary suites, i.e., public consultation.

FORMAT

Each forum was two hours in length. A presentation by CitySpaces, on the topic area identified for that session, was followed by a question and answer session and then small group discussions. Each group was given key questions to discuss, and the top three areas of discussion were reported back to the large group. A comment form was provided at the forums, as well as being posted on the Town's website.

The community was invited to attend through advertisements in the Ladysmith Chronicle and Take 5 Magazine. Posters were placed on public notice boards, and flyers were available in public buildings (library, recreation centre) and in coffee shops. The forum notices also appeared on the Town's website.

The first forum, *Secondary Suites Contribution to Sustainability*, was held on April 6th at Davis Road Elementary School. Over 50 residents attended. Discussion items included:

- Need for adequate parking;
- Secondary suites as "gentle density"; and
- Legalizing existing suites.

The second forum, held on April 13th at the Frank Jameson Community Centre, included a presentation on *Secondary Suites as an Affordable Housing Option*. About 25 people attended this session. Small group discussions covered a range of topics, including:

- Adopting reasonable safety standards so suites remain affordable, including "grandfathering" of existing suites that meet a basic safety standard;
- Requirement for owner-occupancy, i.e. that the homeowner live in the home that has a secondary suite, and;
- Need for public education, including *Landlord Tenant Act* responsibilities, and funding opportunities for suites through CMHC .

The final community forum in the series was held on April 20th at the Aggie Hall. The presentation topic was *Secondary Suites — Different Shapes and Sizes*, focussing on the various forms of secondary suites – basement suites, granny or cottage suites and above-garage (carriage house) suites. Discussions from this session included:

- Parking issues,
- Suite safety and the need for alternative safety standards for existing older homes with suites; and
- Detached suites: scale and massing, protecting privacy and views, upgrading and maintaining laneways.

SUMMARY OF COMMENT FORMS

Asked about the opportunities for secondary suites in Ladysmith, responses included:

- Opportunity for legalization of suites in primary dwellings, as well as above garages and in cottages. Some respondents stated that basement suites were the favoured opportunity;
- Opportunity to make better use of existing unused space in larger homes; and
- Opportunity to provide affordable housing; keep seniors in their homes longer.

Some of the challenges noted were:

- Bringing existing suites up to an acceptable safety standard;
- Providing adequate parking;
- Maintaining privacy and quality of life for neighbours, i.e., addressing overlook and shading issues for suites in accessory buildings; and
- Having sufficient staff resources to inspect suites and to enforce bylaws.

Respondents were asked to share interesting examples of secondary suites from other communities that might be a good fit for Ladysmith. The following are some examples:

- Granny flats in Australia's urban areas;
- Vancouver, including laneway housing and carriage houses in Chinatown;
- Nanaimo;
- Lane development in Toronto's Annex; and
- District of North Cowichan.

Other comments addressed a range of topics including:

- Allowing suites in all areas of Ladysmith;
- Limiting the height and footprint of accessory building suites;
- Having adequate staff resources to enforce existing and new bylaws; and
- Secondary suites as a way to reduce sprawl, increase density, and an opportunity to incorporate "green" building features.

Telephone Survey

A random sample telephone survey was conducted by the Mustel Group in mid-April. To minimise the possible effect of non-response, up to five calls were made to each selected household. The margin of error on the total sample is +/- 7% at the 95% level of confidence. Overall, the survey is reflective of the Ladysmith community, by age, gender, location, and tenure. There were no significant differences in responses by neighbourhood.

- 200 respondents completed the survey.
- 41% were aware of the forums sponsored by the Town.
- 64% indicated there should be specific conditions or regulations. Of this group:
 - 34% indicated that the suite must pass building inspection / meet safety regulations;
 - 29% felt that suites must have on-site parking; and
 - 26% felt the size of suite should be restricted/that there should be no encroachment on a neighbour's property.

All respondents:

- *Benefits of suites:* More affordable housing, income potential for an owner, more housing choices, less urban sprawl, provides separate housing for family members;
- *Concerns regarding suites:* Parking issues, safety issues, impact on the look of the neighbourhood, concerns about potential renters;
- Support for legalization of existing suites – 81%;
- Support for new and upgraded suites on own street – 77%;
- Support for a suite in a main house – 91%;
- Support for a suite above a garage – 66%;
- Support for a detached ground-level suite – 56%

Online Survey

A survey, the same as the telephone survey, was made available on the Town of Ladysmith's website from April 26th to May 13th, 2011. There were 25 responses. As these were self-selecting respondents, the results are not statistically significant. Respondents were required to include their postal codes and the areas within Ladysmith where they reside (or own property), in order to exclude respondents from outside the area. The results of the online survey are as follows:

- *Benefits of suites:* More affordable housing, mortgage helpers, allowing extended families to live on the same property, allow lower income people (students, people starting new jobs) to stay in the community, curb sprawl, rental choices;
- *Concerns:* Parking, noise and traffic, safety and security of illegal suites, infringement on privacy/views from detached suites;
- *Specific conditions/regulations required for properties with a secondary suite:* Regulate size, height, setbacks and view protection for detached suites, meet building code, limit number of occupants, provide onsite parking;
- Support for new suites – 68%; 20% said “Depends”;
- Support for legalization of existing suites – 64%; 16% said “Depends”; and
- Support for new and upgraded suites on own street – 52%.

Community-Wide Open Houses

Two public Open Houses were held — on May 14th and May 17th — to obtain feedback from residents on policy direction and proposed regulations for secondary suites in Ladysmith. The Open Houses were advertised in the Ladysmith Chronicle, and included in an insert in residents’ utility bills. Posters were placed on public notice boards, and the Open House dates were included with information provided at the Home, Garden and Business Show.

Approximately 50 people attended these Open Houses. Attendees were asked to complete a questionnaire indicating their levels of support for various aspects of the proposed policy direction and approach, and of optional directions in certain areas.

Following the Open Houses, the display materials and the questionnaire were posted to the Town’s website, and completed questionnaires were accepted until May 31st.

- 35 questionnaires were completed.
- Agreement with a phased approach to implementation of legal secondary suites – 72%.
- Support for allowing a suite in any detached home, in any location, subject to zoning and building regulations – 100%.
- Support for some relaxations to the Building Code for existing suites – 79%.
- Support for the size of a suite to be the lesser of 90 m² or 40% of the floor area of a home – 72%.
- Support for development of Advisory Design Guidelines for suites within detached homes – 86%.
- Support for a requirement for one additional off-street parking space – 88%; 54% support for allowing tandem parking.
- Support for registration of suites with no registration fee required – 63%.

- Additional comments included:
 - Eight respondents indicated a preference for developing regulations for both in-home and detached suites at the same time;
 - Concern about enforcement of a secondary suites bylaw was expressed by three respondents; and
 - An owner occupancy requirement was suggested by two respondents.

CONCLUSION

The public engagement process has shown a good level of interest in, and support for, legalization and regulation of secondary suites in Ladysmith. There was a high level of awareness that the secondary suites review process was underway, as evidenced in the telephone survey results.

Most residents accept that many suites already exist in the community, and that they are providing an important rental housing option and mortgage helper for many homeowners. There is a concern about the safety of some existing suites, and a desire to find ways to address suite safety without losing this housing supply. Other issues frequently raised were the availability of sufficient parking, and a desire to see existing and new bylaws enforced.

There is support for the development and regulation of all types of suites, both in-home and detached, but there are more issues relating to detached suites that need to be addressed, including concerns about some existing auxiliary buildings that may contain suites and, generally, concerns about the height and footprint of detached suites that may impact on the privacy, views, and general livability for neighbours.

Overall, strong support was expressed for moving forward with legalizing and regulating secondary suites.

APPENDICES

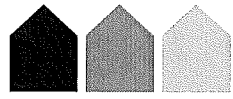
Newspaper Ads

Poster/Flyers

Comment Form

Presentation Boards

Questionnaire



Ladysmith

SECONDARY SUITES – CONSULTATION, POLICY & REGULATION

YOU'RE INVITED! Secondary Suites Forums

The **Town of Ladysmith** invites you to participate in a series of three forums to learn more about authorized secondary suites. The Town also wants to hear from you about “if” and “how” authorized suites could fit in our community.

Homeowners AND renters are encouraged to attend.

FORUM 1 | Wednesday, April 6, 7-9 p.m.
Secondary Suites' Contribution to Sustainability
Davis Road Elementary School, 444 Parkhill Terrace

FORUM 2 | Wednesday, April 13, 7-9 p.m.
Secondary Suites as an Affordable Housing Option
Frank Jameson Community Centre (Program Room)
810 6th Avenue

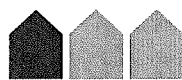
FORUM 3 | Wednesday, April 20, 7-9 p.m.
Secondary Suites, Different Shapes & Sizes
Aggie Hall, 110 1st Avenue



We look forward to your participation!

For more information, please contact:

Town of Ladysmith
Development Services Department
at 250-245-6405 or fadams@ladysmith.ca



Ladysmith

SECONDARY SUITES – CONSULTATION, POLICY & REGULATION

YOU'RE INVITED! Secondary Suites Forums

The **Town of Ladysmith** invites you to learn more about secondary suites as a housing choice, and to talk about how this type of housing might fit into our community.

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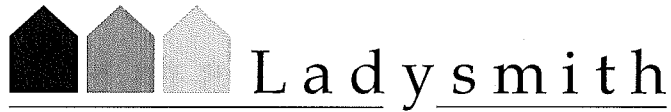
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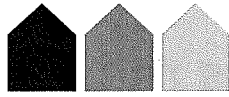
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Ladysmith

SECONDARY SUITES – CONSULTATION, POLICY & REGULATION

Secondary Suites OPEN HOUSES

Saturday, May 14th, 10 am-1 pm

Ladysmith Secondary (Main Foyer)

Overview presentation at 11 am.

Tuesday, May 17th, 4-7 pm

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Residents of Ladysmith, both homeowners and renters, are encouraged to attend **ONE** of two sessions to review secondary suite policy options and state your preferences. Results from the Community Forums and a random-sample telephone survey will also be presented.



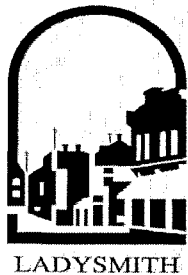
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Your Invitation!

Secondary Suites Forums

The Town of Ladysmith invites homeowners and renters to learn more about Secondary Suites as a housing choice, and to talk about how this type of housing might fit into our community.

Three forums are being held in April. Each has a different theme, but the same background information will be available at all three forums.

Forum 1

Secondary Suites, Contribution to Sustainability

Wednesday, April 6th — 7:00 to 9:00 p.m.

Ecole Davis Road Elementary School, 444 Parkhill Terrace

Forum 2

Secondary Suites as an Affordable Housing Option

Wednesday, April 13th — 7:00 to 9:00 p.m.

Frank Jameson Community Centre
Program Room, 810 6th Avenue

Forum 3

Secondary Suites, Different Shapes and Sizes

Basement suites, granny flats, carriage/coach houses...

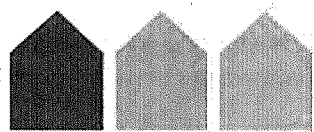
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Aggie Hall, 1110 1st Avenue

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Ladysmith

SECONDARY SUITES – CONSULTATION, POLICY & REGULATION

Secondary Suites' Contribution to Sustainability

Wednesday, April 6th, 7-9 pm

Davis Road Elementary School, 444 Parkhill Terrace

Hear about and discuss:

- Making better use of existing infrastructure, such as schools, playfields, sewers and roads.
- Allowing a mix of people to live in our neighbourhoods — seniors, young families, workers, single parents.
- Modestly increasing density without changing the character of neighbourhoods.

Presentation and discussion led by
CitySpaces Consulting.



WHAT DO YOU THINK?

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WHAT DO YOU THINK?

**Secondary Suites,
Different Shapes and Sizes**

Wednesday, April 20th, 7-9 pm

Aggie Hall, 1110 1st Avenue

Hear about and discuss:

- Basement suites, granny flats, carriage/ coach houses.
- What fits best, where?
- What about impacts on neighbours?

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WHAT DO YOU THINK?



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WHAT DO YOU THINK?



Secondary Suites' as an Affordable Housing Option

Wednesday, April 13th, 7-9 pm

Frank Jameson Community Centre (Program Room)
810 6th Avenue

Hear about and discuss:

- Increasing affordable housing choices for young workers, single parents.
- “Mortgage-helper” for homeowners.
- Helping seniors stay in their homes longer.

Presentation and discussion led by
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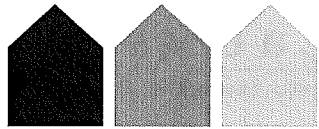
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WHAT DO YOU THINK?



Ladysmith

SECONDARY SUITES – CONSULTATION, POLICY & REGULATION

Secondary suites have come to play an increasingly important role in meeting rental housing demand. Within a detached house (basement suite), or as a smaller accessory dwelling (granny suite, carriage house), secondary suites have become an acceptable housing form in the majority of BC municipalities.

The Town of Ladysmith is in the process of considering secondary suites policies, and has begun a community-wide consultation process. The Town has contracted CitySpaces Consulting to assist in this review. *What types of secondary accommodation are appropriate in the Town? How can the Town ensure that secondary suites fit into the local landscape? What bylaws and regulation are required?*

SECONDARY SUITE FORUMS

Three educational Forums, to discuss different aspects of secondary suites, have been hosted by the Town. The final Forum in this series will be held on Wednesday.

FORUM 3: Secondary Suites, Different Shapes and Sizes

Wednesday, April 20th, 7-9 pm

Aggie Hall, 1110 1st Avenue

YOU MAY BE GETTING A CALL

Mustel Group, a professional research firm, is conducting a random sample telephone survey on behalf of the Town of Ladysmith to get the opinions of residents on secondary suites. Calls will be made over the next two weeks.

OPEN HOUSES

Two Open Houses are going to be held to present policy options. Residents of Ladysmith, both homeowners and renters, are encouraged to attend one of the sessions to review the options and state your preferences. Results from the Community Forums and the telephone survey will also be presented.

Saturday, May 14th, 10 am - 1 pm

Ladysmith Secondary School (main foyer)

OR

Tuesday, May 17th, 4-7 pm

Frank Jameson Community Centre (Program Room)

We look forward to your participation!

For more information:

www.ladysmith.ca | Town of Ladysmith, Development Services Department
at 250-245-6405 | fadams@ladysmith.ca



Secondary Suites OPEN HOUSES

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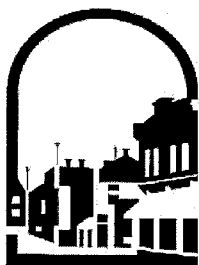
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LADYSMITH

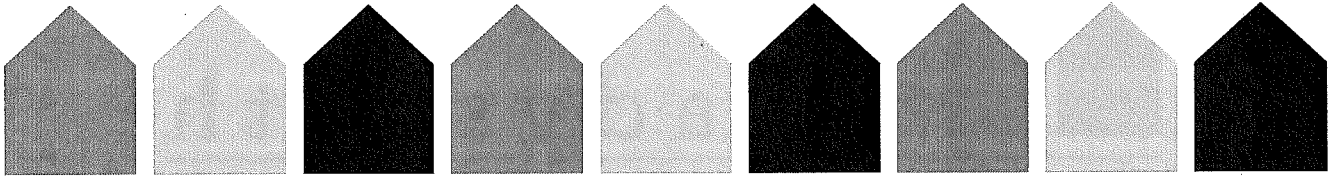
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Town of Ladysmith

Development Services Department

at 250-245-6405 or fadams@ladysmith.ca



What do you think?

Secondary suites have become an acceptable housing form in the majority of BC municipalities. Much can be learned from the experiences of other communities, but every community is unique. In considering Ladysmith's approach to secondary suites it is important to understand what will be a "good fit" for this community.

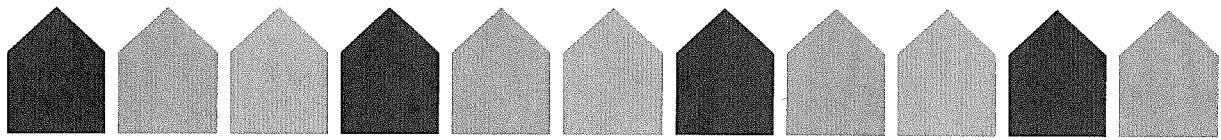
Please complete this comment form and leave it on the table before you go. If you cannot complete it tonight, you may return the completed form to the **Town of Ladysmith, City Hall, 410 Esplanade Avenue**. Please ensure that you drop it off by April 26. Thank you for your input!

1. What do you think are the best opportunities for secondary suites in Ladysmith?

2. What do you think are the major challenges for secondary suites in Ladysmith?

3. Do you know of any good examples of secondary suites in other communities that might work well in Ladysmith?

4. Do you have any other comments or suggestions?

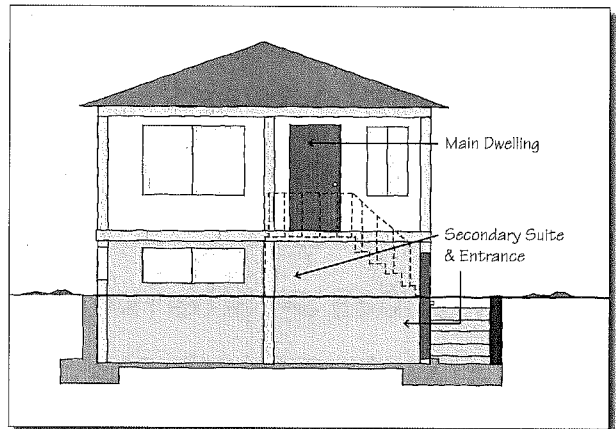


What is a Secondary Suite?

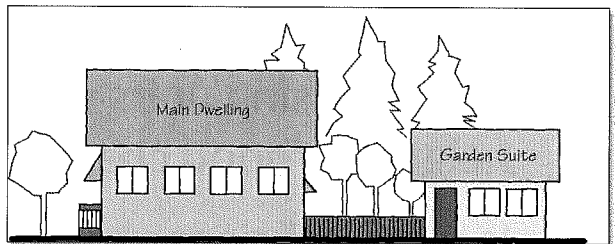
Also referred to as an accessory suite, basement suite, in-law suite, granny flat, garden suite, garage suite, coach house or carriage house.

- A self-contained living space on the same property as a single, detached house.
- Has a separate entrance, cooking, sleeping and bathroom facilities.
- Is part of the property and cannot be subdivided.

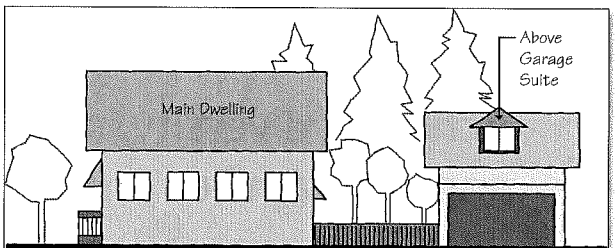
BASEMENT SUITE

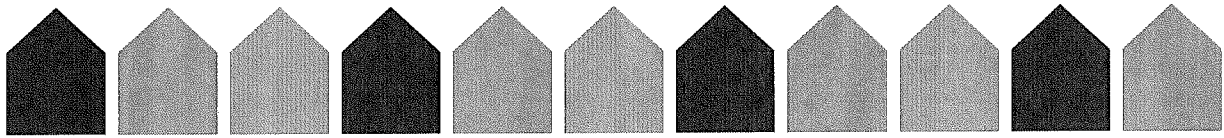


GARDEN SUITE



ABOVE GARAGE SUITE





Benefits of Secondary Suites

FOR HOMEOWNERS

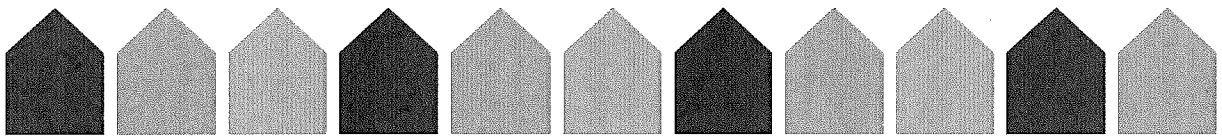
- Helps first time buyers to get into the market
- A mortgage-helper for all homeowners
- Allows seniors to remain at home longer
- Accommodation for adult children or elderly family members

FOR TENANTS

- More housing choices
- Access to a yard
- Opportunity to live in neighbourhoods near schools, parks and other amenities
- Provides an alternative to apartment living
- Often less costly than other rental options

FOR THE COMMUNITY

- Adds housing units without changing neighbourhood character
- Is more efficient use of land and infrastructure
- Helps to support transit service
- Achieves diversity in neighbourhoods with young and old, families and children



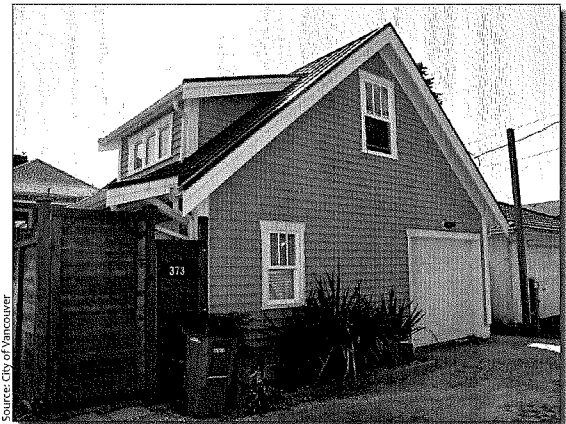
Challenges of Secondary Suites

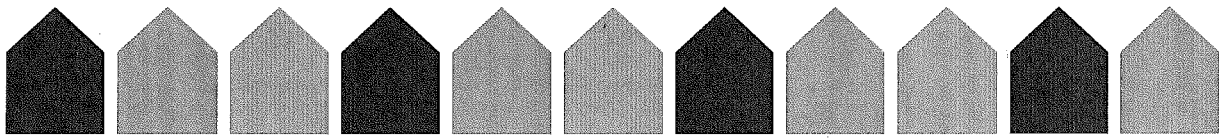
NEED TO ADDRESS POTENTIAL NEIGHBOURHOOD IMPACTS

- By providing enough off-street parking
- Establishing a policy around legalizing illegal suites
- Responding to noise and nuisance problems

NEED TO ADDRESS IMPACT OF DETACHED GARDEN SUITES

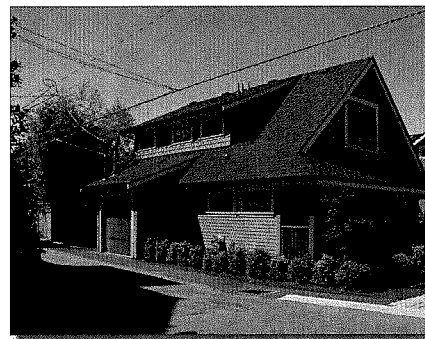
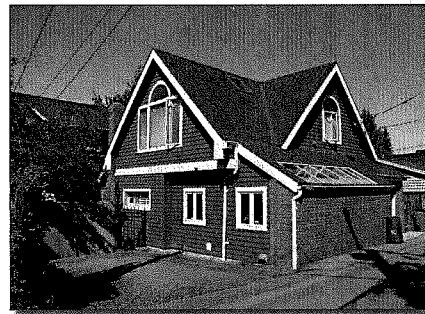
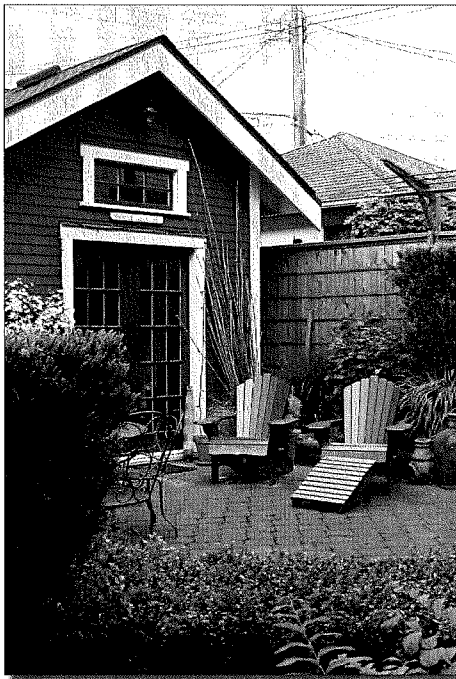
- Design and siting considerations for:
shading, privacy, lighting and shared views

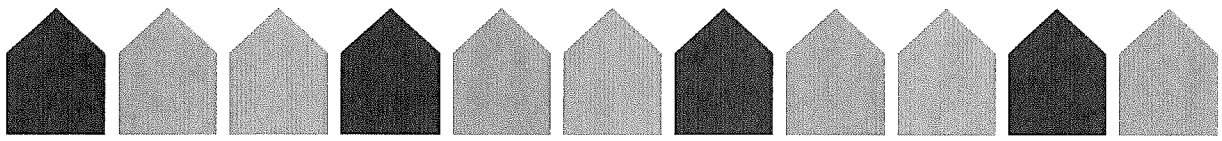




Why Legalize Suites?

- To ensure suites are safe for both tenants and homeowners.
- To improve security of tenure for renters.
- To improve security of income for homeowners.
- To avoid a culture of non-compliance — *“If I can have an illegal suite, then maybe there are other by-laws I can ignore.”*
- To focus enforcement on unsafe and problem suites.





Secondary Suite Forums

75+ attended at least one of three forums in April 2011.

First Forum: Contribution to Sustainability

Top 3 discussion items:

- Parking
- Ensuring safety of existing suites
- Suites are a form of “gentle” density that contributes to diversity of population; retaining social, historical make up of the town

Second Forum: An Affordable Housing Option

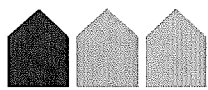
Top 3 discussion items:

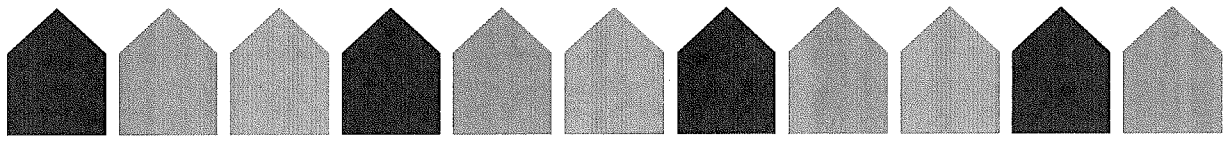
- “Grandfathering” (amnesty period) to bring existing suites to an acceptable safety standard, reasonable standards to maintain affordability
- Public education about: Landlord Tenant Act responsibilities, grants through CMHC, mortgage eligibility

Third Forum: Different Shapes and Sizes

Top 3 discussion items:

- Scale and massing of a detached suite in proportion to lot and home size
- Maintenance and upgrading of lanes if laneway housing is approved (snow removal, potholes, etc.)
- Conditions for off-street parking



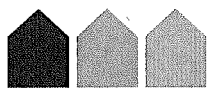
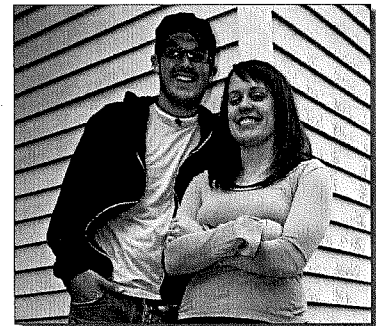


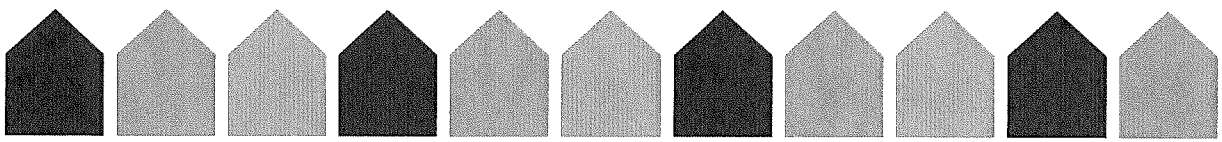
Telephone Survey

KEY FINDINGS

The survey was conducted by the Mustel Group in mid-April. Overall, the survey is reflective of the Ladysmith community, by age, gender, location and tenure.

- 200 respondents completed the survey
- 41% were aware of the forums sponsored by the Town
- 64% indicated there should be specific conditions or regulations for secondary suites. Of these:
 - 34% indicated that suites should pass building inspections/meet safety regulations
 - 29% felt that suites must have on-site parking
 - 26% felt the size of suites should be restricted; there should be no encroachment on neighbouring properties

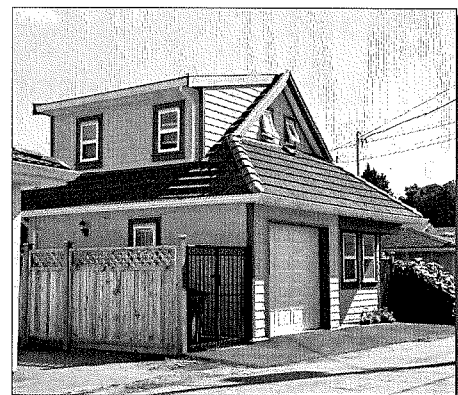


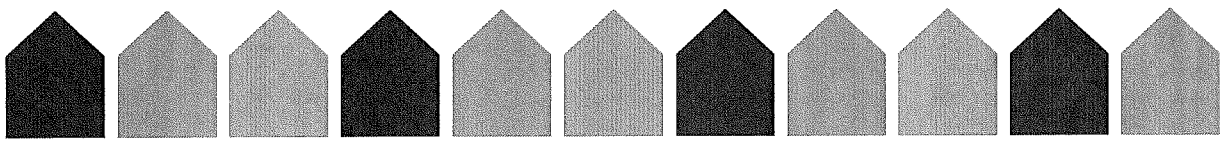


Telephone Survey

KEY FINDINGS

- **Benefits of suites:** More affordable housing, income potential for an owner, more housing choices, less urban sprawl, provides separate housing for family members
- **Concerns regarding suites:** Parking issues, safety issues, concerns about potential renters, impact on the look of neighbourhood
- Support for legalization of existing suites — 81%
- Support for new and upgraded on own street — 77%
- Support for a suite in a main house — 91%
- Support for a suite above a garage — 66%
- Support for a detached ground-level suite — 56%





Recommended Approach to Implementing Legal Secondary Suites

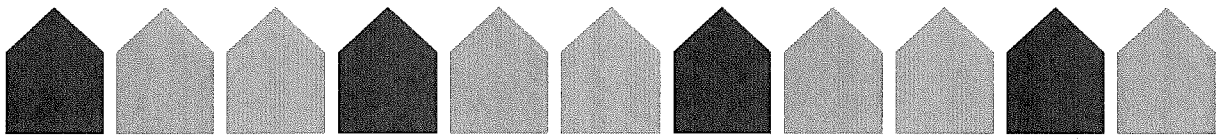
A phased approach:

PHASE 1

- Permit secondary suites within a main residence (basement suites), enabling implementation of the current OCP policy
- Develop relaxed standards for approval of existing in-home suites
- Add policy to the Official Community Plan to support coach houses and ground-oriented cottage suites, subject to guidelines and regulations to be developed at a later date, following further public consultation

PHASE 2

- Establish advisory committee to work with Town staff/consultants
- Develop design guidelines for coach houses and ground-oriented cottages for public review
- Develop regulations for public review



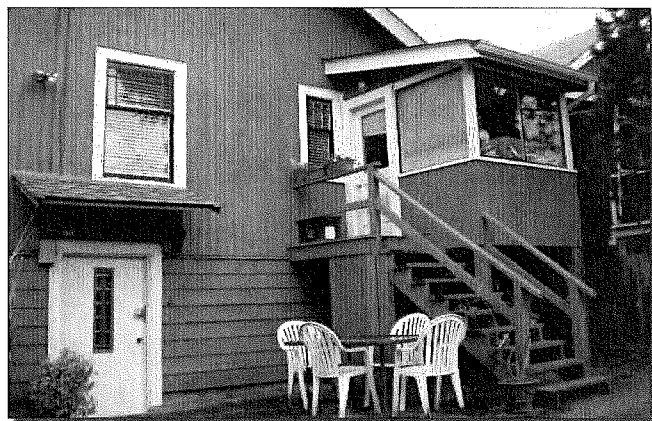
Recommended Regulation for In-home (Basement) Suites

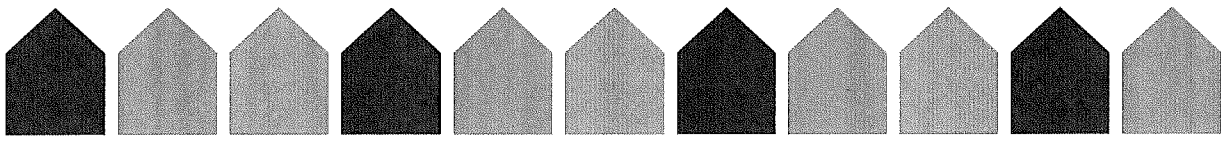
LOCATION OF SUITES

Except where existing covenants on the land title do not allow a suite, if it fits within the Town's zoning and building regulations, a suite is acceptable in any detached home in any location within Ladysmith.

SIZE OF SUITES

The maximum size of a suite will be consistent with the BC Building Code for Secondary Suites (Section 9.36) — the lesser of 90 m² OR 40% of the total living floor area of the building, excluding common areas for storage, laundry or egress.





Recommended Regulation for In-home (Basement) Suites

SAFETY STANDARDS

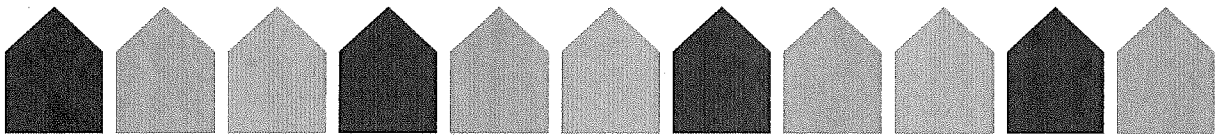
- **New** secondary suites must meet the requirements of the BC Building Code.
- **Existing** suites must meet an overall commitment to safety for suite occupants and the primary dwelling.
 - Owing to the challenges of making existing suites conform to the exacting standards of the BC Building Code, the Town will consider some relaxations in approving existing suites (e.g., ceiling height).

OCCUPANCY

- No more than one suite per single detached home.
- Suites are a form of rental housing; no subdivision (strata-titling) will be permitted.

PARKING

- One additional on-site parking space.

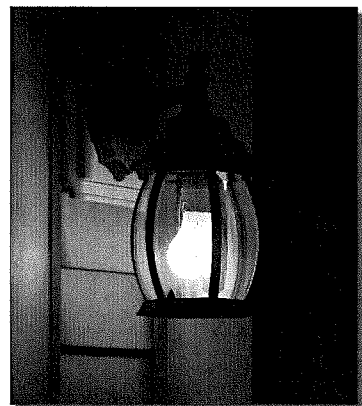
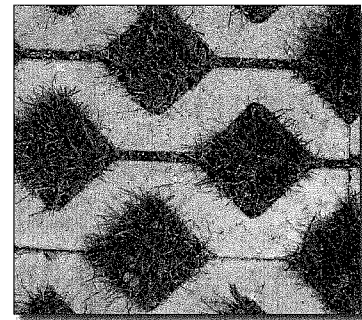


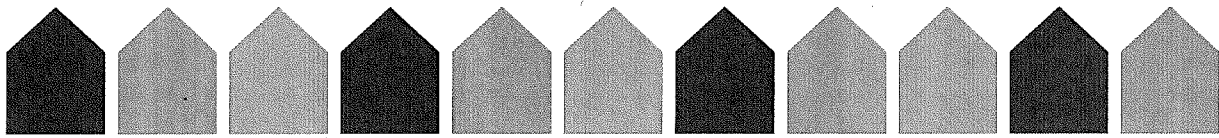
Recommended Regulation for In-home (Basement) Suites

CHARACTER AND EXTERIOR DESIGN

The Town of Ladysmith will support development of Advisory Design Guidelines for in-home suites to take into account:

- Maintaining the look of a single detached home
- Encouraging environmental sustainability
- Lighting
- Access pathways
- Private amenity space
- Landscaping
- Parking





Options...

For Your Consideration

The display panels have presented a recommended approach to legalizing and regulating secondary suites. The approach needs to be the “best possible fit” for Ladysmith.

There are many options for regulation of secondary suites. Please take some time to complete the questionnaire, indicating your level of support for this approach to legalizing suites, and for the proposed direction of regulations.

Consider whether you prefer any of the following options:

APPROACH

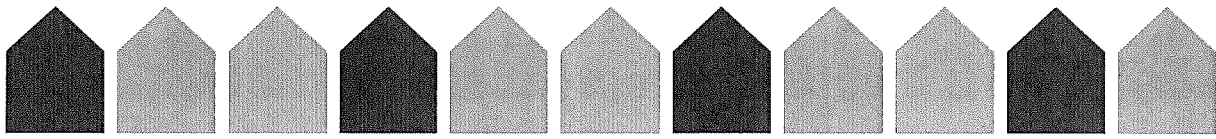
Retain the current definition of a secondary suite and NOT amend the OCP to include coach houses and cottage suites (Not addressing these types of suites through regulation at some future time).

SIZE OF SUITES

Make the maximum suite size smaller than the 90 m² or 40% of total living area of a house, as indicated in the BC Building Code.

SAFETY STANDARDS

Require all suites, whether new or existing, to meet the BC Building Code requirements, rather than relaxing some requirements for existing suites.



Options...

For Your Consideration

PARKING STANDARD

- Permit tandem parking (one vehicle behind the other).
- Require one parking spot for each bedroom in the suite.

CHARACTER AND EXTERIOR DESIGN

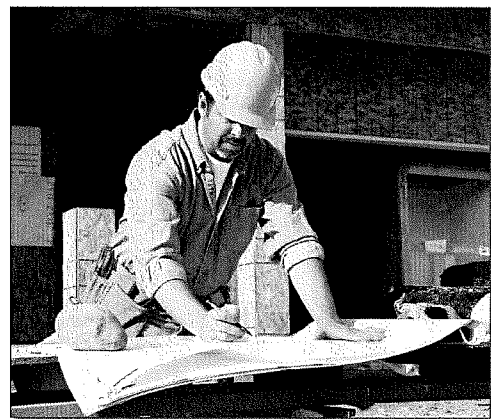
No requirement for Advisory Design Guidelines for in-home (basement) suites.

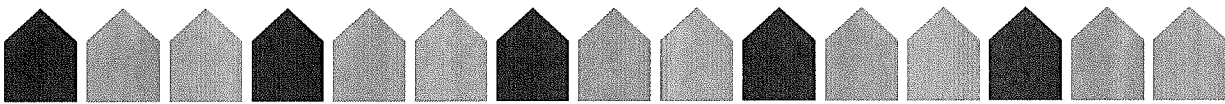
SUITE REGISTRATION

- Require all homeowners to pay a registration fee after the suite has passed inspection.
- Register the suite, without a fee, once it passes inspection.

SUITE READY

The Town will encourage new homes to be built “suite ready” by providing information about what can be built-in so it is easier and cheaper to build a suite later on.





What do you think?

Thank you for taking the time to let us know what you think about the proposed approach and options for legalizing secondary suites in Ladysmith. Please refer to the display boards for more information. Leave your completed questionnaire in the box provided.

1. What is your level of agreement with a phased approach to the implementation of legal secondary suites?

Phase One includes regulations for in-home suites, OCP policy for coach houses and cottage suites — regulations to be developed at a later time.

Phase Two includes regulations and design guidelines for coach houses and cottage suites.

- Strongly Agree Somewhat Agree Somewhat Disagree Strongly Disagree Don't know/ No Opinion

1a. Or do you prefer the current definition of a secondary suite be retained, and the OCP NOT amended to include coach house and cottage suites?

- Yes No

2. What is your level of agreement with permitting suites in any detached home in any location within Ladysmith, if they fit within the Town's zoning and building regulations?

- Strongly Agree Somewhat Agree Somewhat Disagree Strongly Disagree Don't know/ No Opinion

3. What is your level of agreement with the size of suites being consistent the BC Building Code (the lesser of 90 m² or 40% of the total floor area of the home)?

- Strongly Agree Somewhat Agree Somewhat Disagree Strongly Disagree Don't know/ No Opinion

3a. Or would you prefer the maximum size of suites be smaller than allowed by the BC Building Code?

- Yes No

4. What is your level of agreement with all NEW secondary suites being required to meet BC Building Code requirements, and allowing some relaxations for EXISTING suites while still meeting an overall commitment to safety?

- Strongly Agree Somewhat Agree Somewhat Disagree Strongly Disagree Don't know/ No Opinion

4a. Or would you prefer all suites, new or existing, meet BC Building Code requirements?

- Yes No

5. What is your level of agreement with no more than one suite per single detached home, and subdivision not permitted?

- Strongly Agree Somewhat Agree Somewhat Disagree Strongly Disagree Don't know/ No Opinion

6. What is your level of agreement with secondary suites having one additional on-site parking space?

- Strongly Agree Somewhat Agree Somewhat Disagree Strongly Disagree Don't know/ No Opinion

6a. Or would you prefer tandem parking be allowed?

- Yes No

6b. Or would you prefer one parking spot for each suite bedroom be required?

- Yes No

7. What is your level of agreement with Advisory Design Guidelines being developed for in-home suites?

- Strongly Agree Somewhat Agree Somewhat Disagree Strongly Disagree Don't know/ No Opinion

7a. Or would you prefer there were no Advisory Design Guidelines for in-home suites at all?

- Yes No

8. What is your level of agreement with the requirement that a homeowner register a suite, and pay a fee once the suite has passed inspection?

- Strongly Agree Somewhat Agree Somewhat Disagree Strongly Disagree Don't know/ No Opinion

8a. Or would you prefer a requirement that a homeowner register a suite, after passing an inspection, but no fee is required?

- Yes No

9. What is your level of agreement with the Town encouraging new homes to be built "suite ready"?

- Strongly Agree Somewhat Agree Somewhat Disagree Strongly Disagree Don't know/ No Opinion

Any other comments?

If you are unable to complete the questionnaire before you **52** leave, please drop it off at the Town Hall (410 Esplanade Ave.) no later than May 31, 2011.

THANK YOU!



585 - 1111 West Hastings Street, Vancouver BC V6E 2J3 | 888.687.2281
5th Floor, 844 Courtney Street, Victoria BC V8W 1C4 | 866.383.0304

www.cityspaces.ca



RECOMMENDED POLICY DIRECTION AND APPROACH

JUNE 2011

INTRODUCTION

The Town of Ladysmith has contracted with CitySpaces Consulting to assist in the review of appropriate regulations for secondary suites. Affordable housing is a strategic priority for Town Council, and it is recognized that secondary suites are an important contributor to the affordable housing stock. Many suites currently exist within the community.

OFFICIAL COMMUNITY PLAN

The Town of Ladysmith adopted its current Official Community Plan (OCP) in 2003. The plan defines a secondary suite as “a form of dwelling unit contained within a principal single family dwelling and subject to guidelines and regulations within the Zoning Bylaw”. Section 3.2.3 Land Use Planning and Community Design Policy #21 states that, “Secondary suites will be permitted under specific conditions and requirements. Secondary suites guidelines and regulations will be adopted by Council.” The OCP identifies secondary suites as a permitted use within the Single Family Residential land use designation (3.8.1).

CONSIDERATIONS FOR POLICY DIRECTION AND APPROACH

In order to develop a secondary suites policy that is the “best fit” for Ladysmith, it is important to learn from what other communities are doing, as well as to understand the Ladysmith context. The recommended policy direction and approach comes from a consideration of the following:

- Successful practices from other communities;
- Input from Ladysmith residents;
- Input from Town of Ladysmith staff; and
- Considerations specific to the Ladysmith context.

RECOMMENDED POLICY DIRECTION AND APPROACH

The recommended policy direction recognizes the high level of support for secondary suites in Ladysmith and, in particular, for suites contained within a primary residence. It also recognizes the openness of residents, Town staff and Council to explore more innovative secondary housing forms.

POLICY DIRECTION

It is recommended that the OCP contain a clear policy statement supporting suites contained within a primary residence, carriage house suites and ground-oriented cottage suites, subject to specific conditions and requirements contained in the Zoning Bylaw.

APPROACH TO IMPLEMENTATION

It is recommended that a phased approach be taken to implementing the secondary suites policy. Given the strong level of public support for suites contained within a main dwelling, and the relative ease of adopting and implementing Zoning Bylaw changes that will permit these suites to be legal, this step can be taken immediately.

There is also a good level of community support for the other forms of secondary suites. These are more controversial, however, and care needs to be taken to develop guidelines and regulations that will reduce potential negative impacts, and that will result in secondary housing that adds to the character and livability of the town.

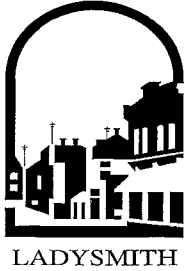
It was evident during the consultation that there are some specific auxiliary buildings that have stirred controversy. By establishing clear guidelines and bylaws for carriage house and cottage suites, these controversies may be avoided in the future. A number of residents favoured proceeding with regulations for all forms of secondary suites at this time in order to have clarity about what is appropriate for detached secondary suites. It is recommended that the second phase of implementation of the secondary suites policy proceed as quickly as possible, behind implementation of regulations for suites contained within a main residence.

Phase 1

- Permit secondary suites within a main residence (basement suites).
- Develop relaxed standards for approval of existing in-home suites.
- Add policy to the Official Community Plan to support coach house and ground-oriented cottage suites (detached suites), subject to guidelines and regulations to be developed following implementation of Zoning Bylaw regulations for suites contained within a main residence.
- Develop advisory design guidelines for suites contained within a main residence.

Phase 2

- Establish an advisory committee to work with Town staff/consultants on guidelines and regulations for detached suites.
- Develop design guidelines for coach house and ground-oriented cottages, for public review
- Develop regulations for coach house and ground-oriented cottages, for public review



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Joe Friesenhan, Director of Public Works
Date: June 14, 2011
File No:

Re: STOCKING LAKE SUPPLY MAIN AND INTERCONNECTING MAIN TENDER

RECOMMENDATION(S):

That Council award the tender for the Stocking Lake Supply Main and Interconnecting Main to Milner Group Ventures Ltd, from Nanaimo, for the low tender price of \$1,309,342.00 plus HST for a total price of \$1,466,463.04.

PURPOSE:

To have Council award the contract for the supply and installation of the Stocking Lake supply main and interconnecting main to the low tenderer.

INTRODUCTION/BACKGROUND:

Tenders were received for the supply and installation of the Stocking Lake supply main and interconnecting main until 2:00 p.m. June 13th, 2011. Ten tenders were received with the following results:

| | |
|---------------------------------|----------------|
| Milner Group Ventures Ltd. | \$1,466,463.04 |
| Windley Contracting Ltd. | \$1,567,092.80 |
| David Stalker Excavating Ltd. | \$1,574,988.80 |
| Fournier Excavating Ltd. | \$1,594,880.00 |
| Rohl Enterprises Ltd. | \$1,723,708.00 |
| Knappett Industries (2006) Ltd. | \$1,797,600.00 |
| Copcan Contracting Ltd. | \$1,831,544.96 |
| Locar Industries Ltd. | \$1,911,572.32 |
| Palladian Developments Inc. | \$1,920,366.80 |
| Upland Excavating Ltd. | |
| \$2,239,876.65 | |

All of the tender prices above include the HST. A review of the tenders was completed by the Towns engineers for the project, Koers & Associates Engineering.

The work is time sensitive, as it must be completed between June 15th and September 15th in order to meet the Department of Fisheries and Oceans timelines.

SCOPE OF WORK:

The work includes the supply and installation of the Stocking Lake Supply line from the south end chlorinator to the Arbutus Reservoir along with the potable water line from the Arbutus Reservoir to the south end. The project also includes the replacement of the potable water supply line through Holland Creek.

ALTERNATIVES:

- Award the contract to low tender
- Award the contract to other than low tender
- Reject all tenders and not award at this time
-

FINANCIAL IMPLICATIONS:

The low tender price is lower than the budgeted amount for this phase of the project. Monies from Reserves will be used to fund this portion of the project. Ministry approval of a loan authorization bylaw has been applied for, pending electoral assent and other approvals. This borrowing is for the remainder of the project.

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Not meeting the requirements of the Towns Operating Permit would have negative public relations implications.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Public Works Department and the Finance Department would be involved.

RESOURCE IMPLICATIONS:

The work is completed by the private sector with present Public Works personnel to administer the contract.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

This project aligns with the fifth pillar of sustainability, Innovative Infrastructure.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Supply of a safe and adequate water supply is at the top of the Strategic Priorities.

SUMMARY:

Tenders were received for the supply and installation of the Stocking Lake supply main and interconnecting main with the low tender being from Milner Group Ventures Ltd. out of Nanaimo. The low tender came in within the budgeted amount for the project.

I concur with the recommendation.

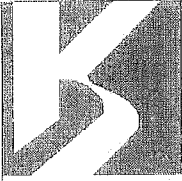


Ruth Malli, City Manager

ATTACHMENTS:

Recommendation from Koers & Associates

Serving Vancouver Island since 1987



**KOERS
& ASSOCIATES
ENGINEERING LTD.**
Consulting Engineers

P.O. BOX 790
194 MEMORIAL AVENUE
PARKSVILLE, B.C. V9P 2G8
Phone (250) 248-3151
Fax (250) 248-5362
kael@koers-eng.com

June 14, 2011
File: 0906-04

Town of Ladysmith
P.O. Box 220
Ladysmith, B.C. V9G 1A2

Attention: Mr. Joe Friesenhan, ASCT
Director of Public Works

Dear Sirs:

**Re: Town of Ladysmith
Stocking Lake Supply Main and Interconnection Main
Tender Summary and Recommendation**

Tenders for this project were received at City Hall on June 13, 2011. A total of ten Tenders were submitted and are summarized as follows:

| <u>Tenderer</u> | <u>Total Tender (without HST)</u> | <u>Total Tender (with 12 % HST)</u> | <u>Days to Complete</u> |
|-------------------------------|---------------------------------------|---|-----------------------------|
| Milner Group Ventures Inc. | \$1,309,342.00 | \$1,466,463.04 | 90 |
| Windley Contracting Ltd. | \$1,399,190.00 | \$1,567,092.80 | 120 |
| David Stalker Excavating Ltd. | \$1,406,240.00 | \$1,574,988.80 | 120 |
| Fournier Excavating Ltd. | \$1,424,000.00 | \$1,594,880.00 | 120 |
| Rohi Enterprises Ltd. | \$1,538,935.00 | \$1,723,607.20 | 120 |
| Knappett Industries Ltd. | \$1,605,000.00 | \$1,797,600.00 | 180 |
| Copcan Contracting Ltd. | \$1,635,308.00 | \$1,831,544.96 | 120 |
| Locar Industries Ltd. | \$1,706,761.00 | \$1,911,572.32 | 248 |
| Palladian Developments Inc. | \$1,723,541.79 | \$1,930,366.80 | 120 |
| Upland Excavating Ltd. | \$1,999,889.87 | \$2,239,876.65 | 120 |

The Tender amounts shown above include a \$50,000.00 contingency allowance and a \$50,000.00 cash allowance.

.../2



June 14, 2011
File: 0906-04

Town of Ladysmith
Mr. Joe Friesenhan, ASCT

All Tender submissions were complete with Bid Bond and signed Addendum No. 1, and the arithmetic was found to be correct on the Tender Forms, except as noted below:

- The Tender Form submitted by Rohl Enterprises Ltd. had a minor arithmetic error that resulted in a total tender price reduction of \$100.80 (12% HST included). This error does not change the original ranking of the individual tenders.

The low Tender was submitted by Milner Group Ventures Ltd. of Nanaimo. Koers & Associates Engineering Ltd. has worked on a number of projects with Milner Group Ventures and we are confident they will be able to complete the contract and deliver a successful product. The bid submitted by Milner Group Ventures is within the original construction budget that was established for this project.

We recommend award of this Contract to the low bidder, Miler Group Ventures Inc. We enclose a draft Notice of Award to be sent to the successful bidder on Town letterhead following the decision by Council to award. Please send us a copy of the Notice for our records.

We will file the original Tenders received from the unsuccessful Tenderers. Upon award, and during execution of the Contract Documents, we will bind the original successful tender in the Owner's copy of the documents for safekeeping by the Town.

Please call if you have any questions.

Yours truly

KOERS & ASSOCIATES ENGINEERING LTD.



Matt Palmer, P.Eng.
Project Manager

Enclosure

— KOERS & ASSOCIATES ENGINEERING LTD. —

DRAFT

Date:

Milner Group Ventures Inc.
2240 Jeffs Road
Nanaimo, B.C. V9S 5P7

Dear Sirs:

**Re: Town of Ladysmith
Stocking Lake Supply Main & Interconnection Main
NOTICE OF AWARD**

We are pleased to advise that this Contract has been awarded to your firm, based on your Tender dated June 13, 2011, in the amount of \$1,466,463.04 (12% HST included).

This is not the Notice to Proceed with the work. The Notice to Proceed will be issued immediately following your execution of the Contract Documents.

In accordance with your Tender, you are to provide the required bonds and insurance documents within 10 days of the Notice of Award, and complete all work under the Contract within a period of 90 calendar days from the date of the Notice to Proceed. Please submit the specified bonds and insurance documents to Koers & Associates Engineering Ltd. Contract Documents will be forwarded to your office for Contract execution shortly thereafter.

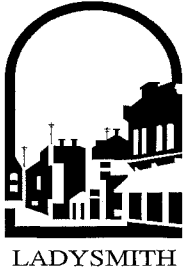
We look forward to a successful contract.

Yours truly,

TOWN OF LADYSMITH

(Appropriate Signing Official)

cc. Koers & Associates Engineering Ltd.



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Erin Anderson, Director of Financial Services
Date: June 13, 2011
File No:

Re: Electoral Assent for Approval of Borrowing to Fund Water Works Project

RECOMMENDATION(S):

That Council proceed with the Electoral Assent option of the Alternate Approval Process (AAP) to approve the borrowing of \$1M to fund the water works project.

PURPOSE:

To proceed to AAP to obtain the assent of the electors to borrow \$1M to fund the construction of a new water works system.

INTRODUCTION/BACKGROUND:

On June 6th, Council approved the first 3 readings of Loan Authorization Bylaw 2011 No. 1763. The bylaw was then forwarded to the Ministry of Community, Sport and Cultural Development to gain approval of the Inspector of Municipalities. The next step is to gain the approval of the electors.

The Town's water operating permit, from Vancouver Island Health Authority (VIHA), notes a requirement to construct a new Centralized Treatment Plant by March of 2012. The Town believes that this is an urgent matter in order to meet the Ministry of Health's and VIHA's requirement for 4-3-2-1 treatment. The Ministry of Community, Sport and Cultural Development (the Ministry which approves municipal borrowing) does not consider it an urgent matter for the purposes of borrowing under Section 8 of the *Municipal Liabilities Regulation*. Numerous attempts have been made with VIHA and the Ministry to streamline the process and facilitate borrowing so that the project may commence. These attempts have been unsuccessful, hence the need for the Town to proceed with Electoral Approval. Should the electoral approval fail, a fall referendum would be the next step, which will delay the project further. The Town also continues to await decisions on the grant application for this project. Should that grant be approved, the borrowing will not be necessary.

Normally, the Electors' Approval could coincide with a referendum but the timing of the project is important. The Ministry of Environment requires that the construction through Holland Creek be completed before September 15 which eliminates the option of holding a referendum with the general municipal election.

Should this extra step be necessary, the earliest possible borrowing will be in Spring 2012. Interim borrowing will be necessary to fund the project from the date the tender is awarded to the Spring borrowing. An additional Temporary Borrowing Bylaw will be presented to Council at a later date.

A grant application has been submitted for this project. If the Town is successful, this AAP process and borrowing will not be necessary.

SCOPE OF WORK:

As discussed at a prior Council meeting, borrowing funds through Municipality Finance Authority (MFA) requires a number of steps. Approval by the Province and potentially by the electors is required prior to adoption. The Provincial approval can take up to 1 month and the electors' approval has 2 options: (1) Referendum (2) Alternative Approval Process (AAP).

The bylaw is required to sit for a quashing period of 1 month after approval by the Town. It is then passed to the Cowichan Valley Regional District (CVRD) for borrowing at MFA.

ALTERNATIVES:

There are no alternatives to the process for borrowing.

FINANCIAL IMPLICATIONS:

Interest rates are always a consideration. Borrowing through the MFA is the most cost effective option, though interest rates could increase between now and the actual borrowing.

LEGAL IMPLICATIONS:

The borrowing process for municipalities is tightly regulated.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Advertising in the newspaper is mandatory for 2 weeks. A ballot will be mailed to each property owner to return to City Hall if they do not approve of the borrowing.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

This process requires a great amount of inter-department workings between Public Works, Corporate Services and Financial Services.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

This aligns with the sustainability pillars 5—Innovative Infrastructure and 7—Healthy Community.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This aligns with the Strategic Direction 1—Wise Financial Management.

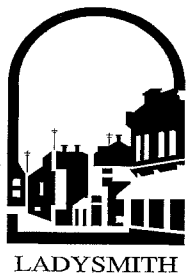
SUMMARY:

The timing of this water construction project determines the option of gaining the approval of the electors. It is recommended that Council proceed with the Electoral Assent option of Alternate Approval Process to approve the borrowing of \$1M.

I concur with the recommendation.



Ruth Mall, City Manager



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Director of Development Services
Date: June 14, 2011
File No: 3900-07 DCC Review

Re: **DEVELOPMENT COST CHARGES (DCC) – NEW BYLAW AND BYLAW REVIEW POLICY**

RECOMMENDATION(S):

1. That Council give first, second, and third reading to “Ladysmith Development Cost Charges Bylaw, 2011, No. 1762”, and refer Bylaw 1762 to the Inspector of Municipalities for approval.
2. That Council approve the draft Development Cost Charges (DCC) Review Policy.

PURPOSE:

The purpose of this report is to present:

- (1) Bylaw 1762 which implements the new Development Cost Charge rates established by Council, and
- (2) the draft Development Cost Charges (DCC) Review Policy.

INTRODUCTION/BACKGROUND:

At its meeting held February 21, 2011, Council provided the following direction.

It was moved, seconded and carried that staff be directed to proceed with preparing a new Development Cost Charge Bylaw based on the rates in Option 9, as outlined in the report from the Director of Development Services dated February 16, 2011.

It was moved, seconded and carried that staff be requested to develop a policy based on best practices to provide for regular review of Development Cost Changes and to report back to Council as soon as possible in this regard.

SCOPE OF WORK:

DCC Bylaw

The DCC consultant has prepared the first of three DCC bylaws.

The first bylaw, Bylaw 1762, establishes the new DCC rates. The other two bylaws will address the exemption for eligible development in the Downtown, and the rebate for development with low environmental impact. These bylaws are scheduled to be introduced to Council upon approval of Bylaw 1762 by the Inspector of Municipalities.

Once Bylaw 1762 has been given its first three readings, it will be sent to the Inspector of Municipalities for consideration of approval. Council cannot adopt the new DCC Bylaw without this approval.

| Bylaw 1762 | |
|---|--------------|
| Land Use Category | New DCC Rate |
| Single Family Residential | \$12,779.26 |
| Small Lot Single Family | \$9,399.97 |
| Multi-Family Residential | \$7,617.33 |
| Downtown Multi-Family | \$6,835.63 |
| Commercial (Per m2 gross floor area) | \$97.67 |
| Downtown Commercial (Per m2 gfa) | \$64.24 |
| Industrial (Per m2 gross floor area) | \$36.60 |
| Institutional - Care Facility (per bed) | \$4,383.40 |
| Institutional (Per m2 gross floor area) | \$85.58 |

DCC Bylaw Review Policy

As directed by Council, staff has prepared a policy for the regular review of DCCs. The policy uses the provincial “DCC Best Practices Guide” as its basis.

ALTERNATIVES:

- That Council not give readings to Bylaw 1762.
- That Council provide further direction on a DCC Bylaw review policy.

FINANCIAL IMPLICATIONS:

Keeping the Town’s capital (DCC) program up-to-date is an important element of the Town’s wise financial management.

LEGAL IMPLICATIONS:

The Bylaw has been reviewed by legal counsel. The adoption of the new DCC Bylaw establishing rates requires approval of the Inspector of Municipalities.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The DCC bylaw review project commenced in 2007. Direction on the bylaw has been discussed at several Council meetings during 2008 to 2011. A stakeholder/public consultation meeting was held in October 2010. Council amended the proposed rates following a review of the input received from the stakeholder consultation.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

All departments have been involved in the review process.

RESOURCE IMPLICATIONS:

The cost of the current DCC Bylaw Review is included in the current Financial Plan.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

Review of the Town's DCC bylaw to include sustainability objectives such as climate and energy issues is included as an implementation strategy in the Visioning report. Council has previously provided direction to staff to proceed with the development of bylaws to waive DCCs for eligible developments in the Downtown and also the reduction for eligible developments with low environmental impact. These bylaws are still to be advanced to Council.

ALIGNMENT WITH STRATEGIC PRIORITIES:

All six of Council's strategic directions are relevant to the DCC Bylaw Review. The completion of the DCC Bylaw Review is one of Council's strategic priorities.

- Wise financial management
- Effective land use planning and community design
- Dynamic economic development
- Enhanced standard of infrastructure
- Responsible stewardship of the environment
- Safe and healthy community

SUMMARY:

One of Council's strategic priorities is the completion of the DCC Bylaw review. Staff recommends that Council give the first three readings to Bylaw 1762, and refer the Bylaw to the Inspector of Municipalities for approval. Staff also recommends that Council approve the draft policy for the review of the DCC Bylaw.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

- Bylaw 1762
- Development Cost Charges (DCC) Bylaw Review Policy



TOWN OF LADYSMITH
POLICIES AND PROCEDURE MANUAL

| | | |
|--|---|--------------|
| TOPIC: | Development Cost Charges (DCC) Bylaw Review Policy | |
| APPROVED BY: | Council | DATE: |
| RESOLUTION #: | | |
| <i>(Amended)</i> | | |
| <u>Purpose:</u> The purpose of the development cost charges (DCC) bylaw review policy is to establish best practices for the regular review of the DCC Bylaw(s). | | |
| <u>Policy:</u> | | |
| Annual Review: | | |
| <ol style="list-style-type: none"> 1. Data will be collected annually to assist with the major (5-year) review. Such data could include: tender construction costs, land values (appraisals), and the status of government grants, as well as new DCC-eligible projects. 2. The impact of any DCC waiver or rebate bylaw will be considered annually by Council upon presentation of the annual development cost charges report (<i>Local Government Act</i>, section 937.01), in order to monitor costs and evaluate effectiveness of such initiatives. 3. If minor bylaw amendments are being considered by Council, notice shall be placed in the local newspaper and on the Town's website requesting public / stakeholder comments. | | |
| Major Review: | | |
| <ol style="list-style-type: none"> 1. A major review of the DCC Bylaw will take place every five years, or earlier if the conditions which form the basis for the bylaw change, such as a major review of the Official Community Plan, the consideration of a new infrastructure plan, or a significant change in projects or number of projects. 2. The current edition of the Development Cost Charge Best Practices Guide will be used as the methodology guide. 3. At least one information meeting to seek input on the proposed DCC rates shall be held with the public and stakeholders once rates have been reviewed by Council and prior to bylaw consideration. 4. Every five years as part of the Financial Plan process, Council will consider funding a major review of the DCC Bylaw(s). | | |

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TOWN OF LADYSMITH

BYLAW NO. 1762

A Bylaw to Levy Development Cost Charges in the Town of Ladysmith.

WHEREAS Council may, under Section 933 of the *Local Government Act*, impose development cost charges for the purpose of providing funds to assist in paying the capital costs of providing, constructing, altering or expanding sewage, water, drainage and highway facilities, other than off street parking facilities, and providing and improving parkland, to service, directly or indirectly, the developments for which the charges are imposed;

AND WHEREAS Council, in establishing the development cost charges imposed by this bylaw, has considered future land use patterns and development, the phasing of works and services, the provision of park land described in the Town's official community plan and how development designed to result in a low environmental impact may affect the capital costs of infrastructure in the Town of Ladysmith;

AND WHEREAS Council has also considered and is of the opinion that the development cost charges imposed by this bylaw are not excessive in relation to the capital cost of prevailing standards of service, will not deter development, will not discourage the construction of reasonably priced housing or the provision of reasonably priced serviced land and will not discourage development designed to result in a low environmental impact in the Town of Ladysmith;

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

TITLE

1. This bylaw may be cited as "Town of Ladysmith Development Cost Charges Bylaw, 2011, No. 1762".

DEFINITIONS

2. In this bylaw:

'Building Permit' means a permit authorizing the construction, alteration or extension of a building or structure.

'Commercial Use' means a building or structure that is or may be used for a retail, tourist accommodation, restaurant, personal or professional services, business office, financial institution, commercial entertainment or commercial recreational use, veterinary clinic or animal hospital and any other business which is not an **industrial use, institutional use, multi-family, small lot or single family residential use**. Commercial use does not include home occupations.

'Council' means the Council of the Town.

'Downtown Commercial Use' means a **commercial use** located within the lands shown within heavy outline on Schedule B, attached to and forming part of this Bylaw.

'Downtown Multi-Family Residential Use' means a **multi-family residential use** located within the lands shown within heavy outline on schedule B, attached to and forming part of this Bylaw.

' Dwelling Unit' means a room, a suite of rooms or a building or structure that is used or intended to be used as a self-contained private residence that may contain eating, living, sleeping and sanitary facilities.

'Gross Floor Area' means the combined horizontal area of all floors within a building, measured between exterior walls and required firewalls including space occupied by interior walls and partitions, but not including exits.

'Home Occupation' means a professional practice, occupation, craft or hobby permitted within a residential dwelling unit.

'Industrial Use' means a building or structure that is used or may be used for the processing, fabrication, assembling, storage, warehousing, distribution, wholesaling, testing, servicing, repairing or maintenance of goods, property, material or articles and includes retail sale accessory to that use.

'Institutional Use 'A' means a building or structure that is used or may be used as an Assisted Living Residence, as defined by the *Community Care and Assisted Living Act*; or a community care facility with four or more sleeping units that provides residential accommodation to adults, in addition to other services prescribed by the *Community Care and Assisted Living Regulation*; and includes, but is not limited to, assisted living facilities, long term care and nursing homes.

'Institutional Use 'B' means a building or structure that is used or may be used for a civic use, school, hospital, public assembly use, public utility use, or correctional or care facility, but excludes buildings or structures that are otherwise defined as **Institutional Use 'A'**.

'Manufactured Home' means any structure, whether ordinarily equipped with wheels or not, that is designed, constructed or manufactured to provide residential accommodation and to be moved from one place to another by being towed or carried.

'Manufactured Home Park' means the use of land for the purpose of providing sites or lots for the accommodation of three or more manufactured homes for a fee, rental or sales charge for the use of such space or individual manufactured home lot.

'Mixed Use' means the use of land for more than one type of use in respect of which different development cost charges are payable under this Bylaw.

'Multi-Family Residential Use' means a parcel that is used for or may be used for more than one **dwelling unit**, or a building containing more than one **dwelling unit**, or one or more **dwelling units** contained within a mixed-use building. Multi-family residential use includes apartments, row houses, townhouses, cluster housing, two-family dwellings or duplexes, and **manufactured home** or **manufactured home parks**, but does not include secondary suites or an institutional use.

'Residential Subdivision' means a subdivision under the *Land Title Act* or the *Strata Property Act* that creates parcels that may be used for residential development, and includes a **manufactured home park** subdivision but does not include multi-family residential;

'Single Family Residential Use' means a parcel that is used or may be used for a single family, or a residential building containing no more than one **dwelling unit** on a single parcel.

'Small Lot Single Family Residential Use' means:

- (a) a parcel that is used or may be used for one **dwelling unit**; or
 - (b) a building containing one **dwelling unit** on a single parcel;
- where the parcel is 506 square metres in area or smaller.

'Town' means the Town of Ladysmith.

DEVELOPMENT COST CHARGES

3. Every person who obtains:
 - (a) approval of a **residential subdivision**; or

- (b) a **building permit** authorizing the construction, alteration, or extension of a building or structure, including a building permit that authorizes the construction, alteration or extension of a building or part of a building that will, after construction, alteration or extension, contain one or more self-contained dwelling units

shall pay to the Town the applicable development cost charge in the amount set out in Schedule A, which is attached to and forms a part of this Bylaw.

EXCEPTIONS

4. A development cost charge is not payable under Section 3 where the imposition of a development cost charge is not payable under another enactment, including:
- (a) if the development does not impose new capital cost burdens on the Town;
 - (b) if a development cost charge has been previously paid for the same development, unless, as a result of further development, new capital cost burdens will be imposed on the Town;
 - (c) a **building permit** authorizes the construction, alteration or extension of a building or part of a building that is, or will be, after the construction, alteration or extension, exempt from taxation under section 220 (1) (h) or 224 (2) (f) of the *Community Charter*;
 - (d) a **building permit** authorizes the construction, alteration or extension of a building where the value of the work authorized by the permit does not exceed \$50,000 or any other amount the Minister may prescribe; or,
 - (e) a **building permit** authorizes the construction, alteration or extension of self-contained **dwelling units** in which each unit is no larger in area than 29 square metres, and each **dwelling unit** is to be put to no other use other than residential use.

TIMING OF PAYMENT

5. **Development cost charges** shall be payable:
- (a) After application for a **residential subdivision** has been made, but no later than at the time of the final approval of the subdivision;
 - (b) For all other cases, after a **building permit** application has been made, but no later than at the time of the approval the **building permit** has been issued;

unless paid by way of instalments in accordance with BC Regulation 166/84 as amended or replaced.

CALCULATION OF CHARGES

6. The amount of development cost charges payable shall be calculated using the applicable charges set out in Schedule A, the actual or probable use of the building, and the applicable number of development units or development area.
7. Where a building or structure is used or may be used for a Mixed Use the amount of development cost charges shall be calculated separately for each portion of the development based on the separate development class or use types and the amount payable shall be the sum of the charges payable for each development class or use.
8. Where a type of development is not identified on Schedule A, or in the event of a vacant building where the actual or probable use is uncertain, the amount of development cost charges to be paid to the Town shall be equal to the development cost charges that would have been payable for the most comparable type of development.

EFFECTIVE DATE

9. This bylaw shall come into full force and effect and be binding on all persons as and from the date of final adoption.

SCHEDULES

10. The following schedules attached to this Bylaw form part of this Bylaw:

- Schedule A – Development Cost Charge Rates
- Schedule B – Downtown Specified Area

SEVERABILITY

11. If any part, paragraph or phrase in this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, that portion shall be severed and the remainder of this bylaw shall continue in force.

REPEAL

12. "Town of Ladysmith Development Cost Charges Bylaw 2000 No. 1374" and all amendments thereto are hereby repealed.

| | | | |
|--|--------|--------|------|
| READ A FIRST TIME | on the | day of | 2011 |
| READ A SECOND TIME | on the | day of | 2011 |
| READ A THIRD TIME | on the | day of | 2011 |
| APPROVED BY INSPECTOR OF MUNICIPALITIES | on the | day of | 2011 |
| ADOPTED | on the | day of | 2011 |

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

SCHEDULE A – DEVELOPMENT COST CHARGE RATES

1. Single Family Residential (DCC charge per single-family lot)

| | |
|----------------|--------------------|
| Roads | \$3,597.69 |
| Storm Drainage | \$342.41 |
| Sanitary Sewer | \$3,924.63 |
| Water | \$3,156.39 |
| Parkland | \$1,758.14 |
| Total | \$12,779.26 |

2. Small Lot Single Family Residential (DCC charge per small lot single-family lot)

| | |
|----------------|-------------------|
| Roads | \$3,237.92 |
| Storm Drainage | \$154.08 |
| Sanitary Sewer | \$2,452.89 |
| Water | \$1,972.75 |
| Parkland | \$1,582.33 |
| Total | \$9,399.97 |

3. Multi-Family Residential (DCC charge per multi-family residential unit)

| | |
|----------------|-------------------|
| Roads | \$2,184.18 |
| Storm Drainage | \$92.74 |
| Sanitary Sewer | \$2,180.35 |
| Water | \$1,753.55 |
| Parkland | \$1,406.51 |
| Total | \$7,617.33 |

4. Downtown Multi-Family Residential (DCC charge per multi-family residential unit)

| | |
|----------------|-------------------|
| Roads | \$1,421.03 |
| Storm Drainage | \$74.19 |
| Sanitary Sewer | \$2,180.35 |
| Water | \$1,753.55 |
| Parkland | \$1,406.51 |
| Total | \$6,835.63 |

5. Commercial (DCC charge per m² of gross floor area)

| | |
|----------------|----------------|
| Roads | \$84.59 |
| Storm Drainage | \$1.28 |
| Sanitary Sewer | \$6.54 |
| Water | \$5.26 |
| Parkland | \$0.00 |
| Total | \$97.67 |

6. Downtown Commercial (DCC charge per m² of gross floor area)

| | |
|----------------|----------------|
| Roads | \$56.39 |
| Storm Drainage | \$0.77 |
| Sanitary Sewer | \$3.92 |
| Water | \$3.16 |
| Parkland | \$0.00 |
| Total | \$64.24 |

7. Industrial (DCC charge per m² of gross floor area)

| | |
|----------------|----------------|
| Roads | \$25.39 |
| Storm Drainage | \$1.10 |
| Sanitary Sewer | \$5.61 |
| Water | \$4.51 |
| Parkland | \$0.00 |
| Total | \$36.60 |

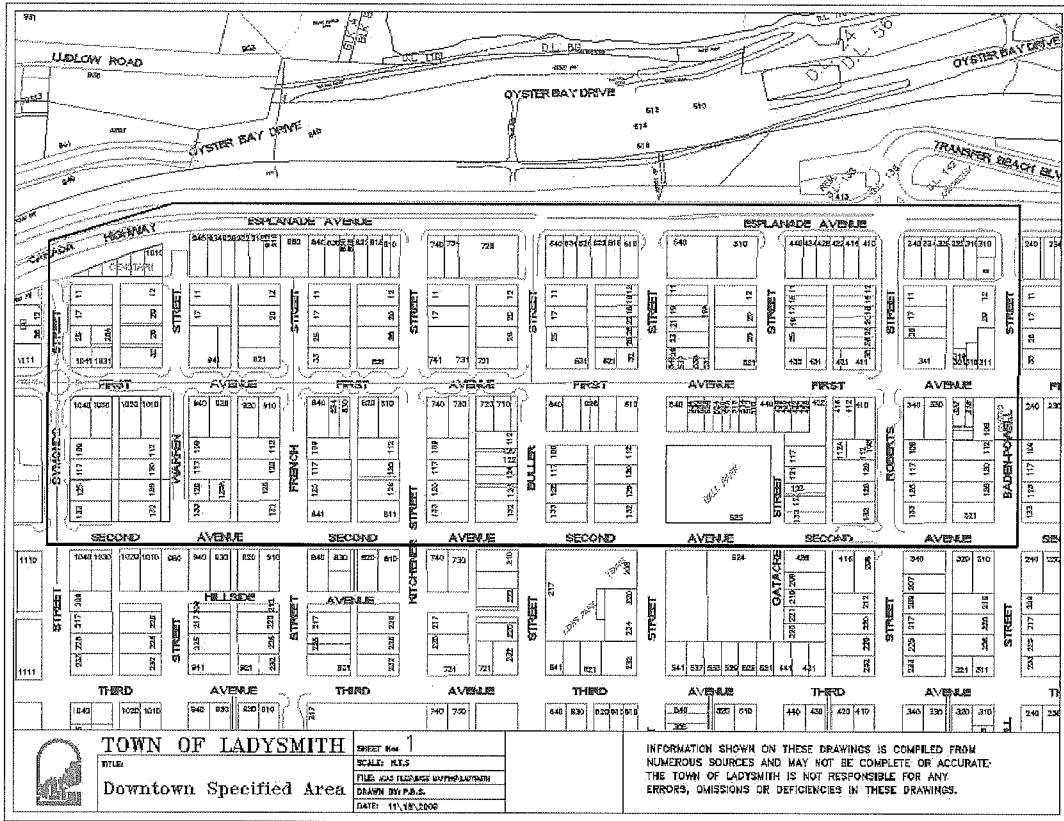
8. Institutional 'A' (DCC charge per bed)

| | |
|----------------|-------------------|
| Roads | \$999.98 |
| Storm Drainage | \$45.65 |
| Sanitary Sewer | \$1,362.72 |
| Water | \$1,095.97 |
| Parkland | \$879.07 |
| Total | \$4,383.40 |

9. Institutional 'B' (DCC charge per m² of building gross floor area)

| | |
|----------------|----------------|
| Roads | \$56.16 |
| Storm Drainage | \$2.69 |
| Sanitary Sewer | \$14.81 |
| Water | \$11.91 |
| Parkland | \$0.00 |
| Total | \$85.58 |

SCHEDULE B – DOWNTOWN SPECIFIED AREA



TOWN OF LADYSMITH

BYLAW NO. 1764

A BYLAW TO AMEND THE LADYSMITH ELECTION PROCEDURES AND AUTOMATED VOTING BYLAW 1999 NO. 1339 TO INCLUDE PROVISIONS FOR VOTING BY MAIL BALLOT

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

1. Bylaw Amendments:

- (a) Add the following Section 5 and renumber all subsequent sections accordingly:

5. Mail Ballot Voting

Authorization

- (1) Voting by mail ballot and elector registration by mail in conjunction with mail ballot voting are hereby authorized.
- (2) The only electors who may vote by mail ballot are the following:
- (a) persons who have a physical disability, illness or injury that affects their ability to vote at another voting opportunity; and
- (b) persons who expect to be absent from the Town of Ladysmith on general voting day and at the times of all advance voting opportunities.

Application Procedure

- (3) A mail ballot package may be requested by an elector who is registered and who in person, by mail, by fax or by email, presents the Chief Election Officer or designate a written request by giving their name and address for such purpose.
- (4) The Chief Election Officer may deliver mail ballot packages by hand to electors who request a mail ballot package in person or the Chief Election Officer may deliver mail ballot packages to electors by mail for those electors who request the ballot package by mail, fax or email.
- (5) The time limits in relation to voting by a mail ballot may be determined by the Chief Election Officer, including the time limit to apply for a mail ballot package.
- (6) Upon receipt of a request for a mail ballot, the Chief Election Officer or designate shall in accordance with the time limits established by the Chief Election Officer:
- (a) make available to the applicant, a mail ballot package as specified in Section 100(7) of the *Local Government Act*, together with a statement advising the elector that the elector must meet one or more of the mail ballot criteria specified in Section (2) of this bylaw, and that they must attest to such fact; and
- (b) immediately record and, upon request, make available for inspection:
- (i) the name and address of the person to whom the mail ballot package was issued; and
- (ii) the number of the voting division in which the person is registered as an elector, or "new elector", if that person is not on the register of electors.

Voting Procedure

- (7) To vote using a mail ballot, the elector shall mark the ballot in accordance with the instructions contained in the mail ballot package provided by the Chief Election Officer.
- (8) After marking the ballot, the elector shall:

- (a) place the ballot in the secrecy envelope provided and seal the secrecy envelope;
- (b) place the secrecy envelope in the certification envelope, and complete and sign the certification printed on such envelope, and then seal the certification envelope;
- (c) place the certification envelope, together with a completed elector registration, if required, in the outer envelope, and then seal the outer envelope;
- (d) mail, or have delivered, the outer envelope and its contents to the Chief Election Officer at the address specified so that it is received no later than the close of voting on general voting day.

Ballot Acceptance or Rejection

- (9) In accordance with the time limits established by the Chief Election Officer, the Chief Election Officer or designate, upon receipt of a ballot package, shall immediately record the date of such receipt and shall then open the outer envelope and remove and examine the certification envelope and the completed elector registration application, if applicable, and if satisfied as to:

- (a) the identity and entitlement to vote of the elector whose ballot is enclosed; and
- (b) the completeness of the certification; and
- (c) the fulfillment of the requirements of Section 56 of the *Local Government Act* in the case of a person who is registering as a new elector;

the Chief Election Officer or designate shall mark the certification envelope as "accepted", and shall retain in his or her custody all such certification envelopes in order to deal with any challenges made in accordance with Section (16) of this bylaw and the voting book shall be marked to indicate that the elector has voted.

- (10) The unopened certification envelopes shall remain in the custody of the Chief Election Officer or designate until 4:00 pm on the Thursday two days before general voting day, at which time the certification envelopes containing the secrecy envelopes shall be opened in the presence of at least one other person, including any scrutineers present.
- (11) At 4:00 pm on the Thursday two days before general voting day, the Chief Election Officer or designate shall place all secrecy envelopes received up until that time into a ballot box specified for such purpose, where such secrecy envelopes were received from persons whose right to vote using a mail ballot has not been challenged, or where such challenge has been resolved and the challenged person permitted to vote.
- (12) Where an outer envelope and its contents are received by the Chief Election Officer or designate between 4:00 pm on the Thursday two days before general voting day and the close of voting on general voting day, the provisions of Section (9) of this bylaw with regard to ballot acceptance shall apply and the Chief Election Officer or designate shall retain such envelopes in their possession until the close of voting and at that time shall open such certification in the presence of at least one other person, including any scrutineers present, and place the secrecy envelope containing the ballot into the ballot box containing the other unopened secrecy envelopes.
- (13) As soon as possible after all of the secrecy envelopes have been placed in the ballot box designated for that purpose, the ballot box shall be opened under the supervision of the Chief Election Officer or designate, and in the presence of at least one other person and any scrutineers present:
- (a) open the accepted certification envelopes;
 - (b) place the unopened secrecy envelopes together into a ballot box;
 - (c) open the secrecy envelope and remove the ballot within; and
 - (d) insert the ballot into the vote tabulating unit.
- (14) Where:
- (a) upon receipt of an out outer envelope, the Chief Election Officer is not satisfied as to the identity of the elector whose ballot is enclosed; or

- (b) in the case of a person required to complete an application for registration as an elector, such application has not been completed in accordance with Section 56 of the *Local Government Act*; or
- (c) the outer envelope is received by the Chief Election Officer or designate after the close of voting on general voting day,

the certification envelope shall remain unopened and the Chief Election Officer shall mark such envelope as "rejected". And shall note the reasons therefore, and the ballot contained therein shall not be counted in the election.

- (15) Any certification envelopes and their contents rejected in accordance with Section (14) of this bylaw shall remain unopened and shall be subject to the provisions of Section 150(6) of the *Local Government Act* with regard to their destruction.

Challenge of Elector

- (16) A person exercising the right to vote under the provisions of this bylaw may be challenged in accordance with and on the grounds specified in Section 116 of the *Local Government Act*.
- (17) The provisions of Section 116(2) to (5) inclusive of the *Local Government Act* shall apply where a challenge of an elector using a mail ballot has been made.

Elector's Name Already Used

- (18) Where, upon receiving a request for a mail ballot, the Chief Election Officer determines that another person has voted or has already been issued a mail ballot in the elector's name, the provisions of Section 117 of the *Local Government Act* shall apply, so far as applicable.

Replacement of Spoiled Ballot

- (19) Where an elector unintentionally spoils a mail ballot before returning it to the Chief Election Officer, the elector may request a replacement ballot by advising the Chief Election Officer or designate of the ballot spoilage and by mailing or otherwise delivering by an appropriate means, the spoiled ballot package in its entirety to the Chief Election Officer or designate.
- (20) The Chief Election Officer shall, upon receipt of the spoiled ballot package, record such fact, and proceed in accordance with Section (4) of this bylaw.

2. Citation

This bylaw may be cited for all purposes as "Ladysmith Election Procedures and Automated Voting Bylaw 1999, No. 1339 Amendment Bylaw 2011, No. 1764".

READ A FIRST TIME on the 6th day of June, 2011
 READ A SECOND TIME on the 6th day of June, 2011
 READ A THIRD TIME on the 6th day of June, 2011
 ADOPTED on the _____ day of _____ 2011

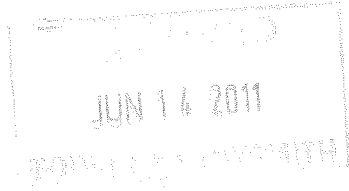
Mayor (R. Hutchins)

Corporate Officer (S. Bowden)



Ref: 145689

June 8, 2011



His Worship Mayor Robert R. Hutchins
and Members of Council
Town of Ladysmith
PO Box 220 Stn Main
Ladysmith, BC V9G 1A2

Dear Mayor Hutchins and Councillors:

On behalf of the Province of British Columbia (Province), I am pleased to inform you that your grant application to the *Towns for Tomorrow* program for the Hydraulic Recovery project has been approved in the amount of \$375,000.

As the hub of many of this province's resources and tourist destinations, small communities are the backbone of British Columbia. Our Government welcomes the opportunity to support your efforts in addressing important issues such as climate change and the overall health, sustainability and liveability of the Town of Ladysmith.

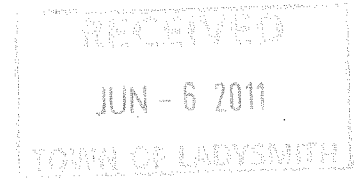
The Province is steadfast in its commitment to helping smaller communities across British Columbia access the resources they need to be economically resilient and family friendly.

Thank you for your continued leadership to the Town of Ladysmith, and congratulations on your successful application.

Sincerely,

A handwritten signature in cursive script that reads 'Ida Chong'.

Ida Chong, FCGA
Minister



Ref: 128161

June 1, 2011

His Worship Mayor Rob Hutchins
Town of Ladysmith
PO Box 220
Ladysmith, British Columbia
V9G 1A2

Dear Mayor Hutchins:

Thank you for your letter of February 14, 2011, addressed to Margaret MacDiarmid, former Minister of Tourism, Trade and Investment, expressing your concern about British Columbia's heritage program. As Minister responsible for heritage conservation, I am pleased to respond.

Historic place conservation continues to be integral to a number of government programs, including sustainable community development, climate action and economic development. By encouraging and facilitating historic place conservation through cooperative strategies, government can ensure that our heritage of historic places is not diminished during periods of economic downturn.

For example, since 2009 the Government of British Columbia has provided \$2.4 million for the retraining and employment of 55 laid-off resource workers to develop traditional trade skills and carry out much needed maintenance work at the provincial historic properties of Cottonwood House, Quesnel Forks, Hat Creek Ranch, Barkerville, Fort Steele and McLeod's Lake Post. This initiative was realized through a partnership between ministry programs and the College of New Caledonia's Heritage Trades Training Program.

Through the Experiences BC Cooperative Marketing Program, the province provided \$132,000 to the Heritage Tourism Alliance. By facilitating its creation and by providing funding, government supports a new sector offering a province-wide focus for heritage resource-based economic development.

Another example of this approach to heritage conservation is rehabilitation of the Kinsol Trestle. A significant proportion of the funding for this community heritage and outdoor recreation project is being provided by government. The Kinsol Trestle is viewed as provincial transportation infrastructure with heritage tourism and recreational values. This project is clear evidence that the facilitation of historic place conservation, when strategically

Page 1 of 2

aligned with other government objectives, remains very much an active piece of government policy.

Finally, since its creation through a \$5 million endowment by the province in 2003, the Heritage Legacy Fund (HLF) has been a significant initiative for heritage conservation in British Columbia. Since 2005, HLF has distributed over \$1.2 million to heritage projects benefitting over 55 communities. For the past two years it has provided support to Heritage BC to continue providing services to organizations like yours. The HLF's provision of financial support for heritage throughout the province has been an important aspect of increasing awareness of the value of historic places in our communities. Local groups and individuals can also contribute to building the HLF to better support heritage in British Columbia.

Through these initiatives, the province continues to recognize and honour the work of our forebears and their legacies in our communities.

Thank you for your interest in the provincial heritage program.

Sincerely,

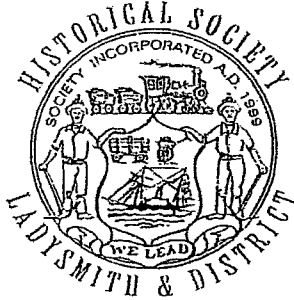
A handwritten signature in black ink that reads "Steve Thomson". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

Steve Thomson
Minister

pc: Honourable Christy Clark, Premier

Heritage BC

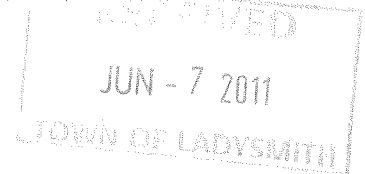
Anne Rogers, Chair, Heritage Revitalization Advisory Commission, Town of
Ladysmith



Ladysmith and District Historical Society
"To Research, Record and Preserve"
www.ladysmithhistoricalsociety.org

#B-1115-1st Avenue, PO Box 813, Ladysmith BC
V9G 1A6
Telephone & Fax (250) 245-0100

The Mayor & Councilors,
Ladysmith Town Council,
City Hall,
Ladysmith. B.C.



June 6th 2011

Dear Mayor & Councilors,

We, the Members of the Ladysmith & District Historical Society, wish to give you our very sincere thanks for the Grants-in Aid award of \$20,000.00 which will be a great help in building up the Town's archives; since moving into our present location, we have had a constant stream of people seeking, or giving, information, & many seeking information by phone & e-mail.

We are continually recording information from peoples' histories, photos literature & maps, in such a form that it is available to the public. Archival quality materials are expensive but are a necessity for preservation; the provision of a web site is essential nowadays; adequate shelving, filing cabinets, & a map drawer are also very necessary.

Without your support, we would not have such a high quality archives.

With heartfelt thanks,

(Kit Willmot)
For the Members



June 10, 2011

Mayor and Council
Town of Ladysmith
410 Esplanade,
P. O. Box 220
Ladysmith, B.C. V9G 1A2

Re: Request to waive Building Permit fee for the Visitor Reception Centre

Dear Mayor and Council:

The purpose of this letter is to request the Town of Ladysmith to waive the Building Permit fee for the LMS Community Marina's Visitor Reception Centre.

LMS is in the process of filing a building permit application for the proposed Visitor Reception Centre. Although a building permit is not required for the 3,000 Sq/ft. Visitor Reception Centre, we feel that the involvement of the Town's building inspector in this community project adds tremendous value during the construction phase to ensure a quality and safe building.

LMS, with the support of the Town of Ladysmith and Stz'uminus First Nation, has secured the funding necessary for the construction of the Visitor Facilities Project; however additional costs associated in obtaining a building permit for this community project are not included in our funding support and would erode funds necessary for the completion of this project.

LMS respectfully requests the Town to waive the building permit fees for the community Visitor Reception Centre.

Yours Sincerely,

Dave Ehrismann
Executive Director, Ladysmith Maritime Society

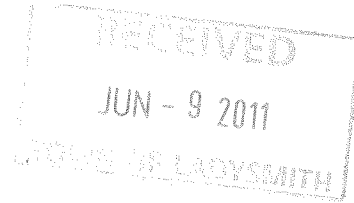


7170 Cheam Avenue
P.O. Box 70
Agassiz, British Columbia
Canada V0M 1A0

Tel: (604) 796-2235
Fax: (604) 796-9854
Web: www.district.kent.bc.ca

June 3, 2011

FILE: 7400-01



Mayor Robert Hutchins
Town of Ladysmith
PO Box 220
Ladysmith, BC V9G 1A2

Dear Mayor Hutchins:

Re: Municipal Police Service Agreement

The District of Kent has taken the time to forward our concerns to the Honourable Christy Clark, Premier of British Columbia, on the Municipal Police Service Agreement that is under negotiations as we speak.

We have enclosed a copy of our letter to Premier Clark for your reference and encourage all municipalities with a population between 5,001 and 20,000 to write to Premier Clark to convey your thoughts on police funding. We must work together as smaller communities to develop a strategy in off setting rising police costs that impacts our municipal budget significantly each year.

Join our community in writing to the Premier and expressing your financial concerns on how we can create positive changes in the police formula for communities with a population between 5,001 and 20,000.

We look forward to hearing your thoughts on this matter.

Sincerely yours,

Lorne Fisher
Mayor

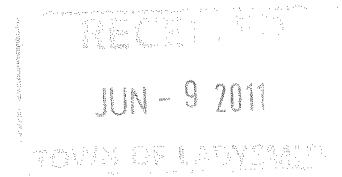
Attachments:

1. Letter dated May 24, 2011 from the District of Kent to Premier Christy Clark
2. List of Municipalities with a population between 5,001 and 20,000



7170 Cheam Avenue
P.O. Box 70
Agassiz, British Columbia
Canada V0M 1A0

Tel: (604) 796-2235
Fax: (604) 796-9854
Web: www.district.kent.bc.ca



May 24, 2011

FILE: 7400-01

The Honourable Christy Clark
Premier of British Columbia
Box 9041 Station PROV GOVT
Victoria, BC
V8W 9E2

Dear Premier Clark:

RE: Municipal Police Service Agreement

For BC Municipalities having a population of over 5,000 and whose policing services and protection are being provided by the RCMP, the costs of these services range anywhere from 25% to 50% of the total tax base for individual municipalities. The costs have been and are predicted in the future to increase at a rate of more than twice the average national inflation rate.

Policing is an essential service and for the smaller municipalities in BC the RCMP is the logical source of this service; however, relative to maintaining adequate infrastructure, i.e. roads, water, sewer, streets, garbage, parks, etc., the cost of policing should not have become impetus for increasing local taxation. The fact that municipalities have had no meaningful input into contract negotiations with the RCMP simply adds insult to injury.

British Columbia has 60 municipalities that have service contracts with the RCMP and there are 12 municipalities (urban centres) that have their own police forces. A total of 3,250 officers service municipalities; 2,306 serve Provincial obligations (communities under 5,000; and 1,034 officers who serve Federal obligations within the Province, 50% of the RCMP officers in BC have municipal responsibilities while 50% have either Federal or Provincial functions and yet municipalities are expected to pay an inordinate proportion of overhead costs of the RCMP such as training and equipment. The downloading of costs of PRIME is an obvious example.

The present contracts between the Federal Government, the Province and Local Governments expire March, 2012. In preparation for negotiations of a new RCMP contract for the Province, the Province and Federal Government appointed the Union of British Columbia Municipalities (UBCM) as the agent to look after the requirements of individual municipalities. In these negotiations, however, the UBCM delegate was given only observer status at the negotiations and all his input on behalf of municipalities had to go

through the Provincial negotiator who proved very adept at protecting Provincial interests more so than recognizing the wish list and financial impacts prepared by various municipalities for UBCM input.

Individual municipalities did provide UBCM with their concerns that they wished to have discussed at the negotiating table but these requests appeared to be not worthy of discussion. Given that this Agreement is to run for 20 years there were a number of concerns that could become problematic during the tenure of the contract.

1. Lack of individual municipal input into the negotiations and lack of language about settling conflicts.
2. Municipalities have to abide by five (5) year and ten (10) year financial plans whereas the RCMP administration expects municipalities to pay for increased costs to changes in equipment, programs, etc. without appropriate planning or notice.
3. For municipalities such as the District of Kent where the detachment services are shared with the Village of Harrison, First Nations and Regional District, there has been constant pressure by the Administration of the RCMP for the municipality to pay for a larger share of the service than was initially agreed to. In fact, the amount of service required by Regional District, i.e. Hemlock Valley, Harrison Lake, Cultus Lake is expanding relative to the needs of the District of Kent.
4. PRIME is an Information Technology (IT) tool which provides RCMP with a broad range of information. Initially, it was financed by the Federal and Provincial Governments. Now municipalities are expected to pay for this resource when it should be part of the service contract. Likewise, it should not be the responsibility of municipalities to train cadets. It should be the RCMP's responsibility to see that all officers are fully trained and equipped when they are assigned to municipal duties.
5. Integrated Services should be the financial responsibility of the Province – not individual municipalities.

As the present contract negotiations between the Federal and Provincial Governments draw to a close, it becomes increasingly apparent that the BC Provincial Government is downloading as much of the policing costs as possible on to municipalities even though programs such as PRIME and the Integrated Force serve the Province as a whole and also are supportive of Federal RCMP services.

Given the excessive and ever increasing costs of policing services, the lack of municipal input into contract negotiations, and the lack of a consistent level of accountability in communities throughout the Province in order to facilitate meaningful community input into local policing, needs and priorities become a significant negative factor. Realistically, signing of this policing contract in what appears to be its final form would be irresponsible on the part of a Local Council as there is no prescribed method of controlling costs or ensuring service over the duration of the 20-year contract.

A similar contract negotiated by the Province of Alberta provides a more equitable means of sharing policing costs. The Alberta Provincial Government is prepared to provide financial support for policing services for communities over 5,000 which lack the industrial and commercial tax base to meet these high costs. In the agreement which they have signed, the Provincial Government is prepared to provide a Municipal Policing Assistance Grant (MPAG) to municipalities which population is greater than 5,000. Towns and cities with a population between 5,001 and 20,000 are eligible to receive a base payment of \$200,000 plus \$8.00 per capita. Cities and urban service areas with a population between 20,000 and 50,000 are eligible to receive a base grant of \$100,000 and \$14.00 per capita while urban centres with populations greater than 50,000 are eligible to receive \$16.00 per capita.

The Alberta Government also provides additional financing through enhanced support for specialized police services such as Sheriff Support Teams, Gang Units, Drug Enforcement Units, Major Case Investigations, Canine Units and Trained Surveillance Units.

The Alberta Government thereby recognizes it has a Provincial responsibility for policing services while the BC Government refuses to recognize that responsibility.

Both the Federal and BC Governments fail to recognize that the instigators of crime do not recognize boundaries hence integrated police units with financial support from Federal and Provincial sources become a necessity.

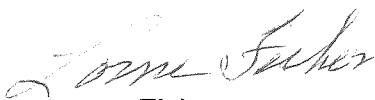
In conclusion, the signing of this contract in its new form does not resolve the inequities that were present in the former contract and the signing of such an agreement would not be in the best interests of the District population.

We respectfully request you as the "New Premier" to adopt a similar police funding model like Alberta so that the smaller rural municipalities may be eligible for police funding. With this initiative rural small communities can be more creative with resources to instigate job opportunities for families and young people in our community.

The District of Kent is presently paying approximately \$650,000 a year for policing and having the opportunity to be able to receive \$200,000 plus for grant funding would sure go a long way to create job opportunities and tourism.

We look forward to your leadership and reply in this area of concern.

Yours sincerely,



Lorne Fisher
Mayor

Pc: Mr. Barry Penner, MLA and Minister of Attorney General
Mr. Mark Strahl, MP, Progressive Conservative

LIST OF BRITISH COLUMBIA MUNICIPALITIES - POPULATION BETWEEN 5,001 TO 20,000

| | | | | | | |
|-------|-----------|-------------|---------------------------------|-----------------------------|----------------------------|--------|
| Mayor | Lawrence | Chernoff | City of Castlegar | 460 Columbia Avenue | Castlegar, BC V1N 1G7 | 7,879 |
| Mayor | Jack | Mar | District of Central Saanich | 1903 Mt. Newton Cross Road | Saanichton, BC V8M 2A9 | 16,201 |
| Mayor | Jim | Garrick | District of Coldstream | 9901 Kalamalka Road | Coldstream, BC V1B 1L6 | 10,289 |
| Mayor | David | Saunders | City of Colwood | 3300 Wishart Road | Colwood, BC V9C 1R1 | 16,579 |
| Mayor | Paul | Ives | Town of Comox | 1809 Beaufort Avenue | Comox, BC V9M 1R9 | 13,644 |
| Mayor | Scott | Manjak | City of Cranbrook | 40-10th Avenue South | Cranbrook, BC V1C 2M8 | 19,123 |
| Mayor | Ron | Toyota | Town of Creston | PO Box 1339 | Creston, BC V0B 1G0 | 5,245 |
| Mayor | Mike | Bernier | City of Dawson Creek | PO Box 150 | Dawson Creek, BC V1G 4G4 | 11,860 |
| Mayor | Barbara | Desjardinis | Township of Esquimalt | 1229 Esquimalt Road | Esquimalt, BC V9A 3P1 | 17,689 |
| Mayor | Bruce | Lantz | City of Fort St. John | 10631 100th Street | Fort St. John, BC V1J 3Z5 | 19,873 |
| Mayor | Laurence | French | District of Hope | PO Box 609 | Hope, BC V0X 1L0 | 6,322 |
| Mayor | Lorne | Fisher | District of Kent | PO Box 70 | Agassiz, BC V0M 1A0 | 5,579 |
| Mayor | Jim | Ogilvie | City of Kimberley | 340 Spokane Street | Kimberley, BC V1A 2E8 | 6,648 |
| Mayor | James | Baker | District of Lake Country | 10150 Bottom Wood Lake Road | Lake Country, BC V4V 2M1 | 11,512 |
| Mayor | Robert | Hutchins | Town of Ladysmith | PO Box 220 | Ladysmith, BC V9G 1A2 | 8,243 |
| Mayor | Joanne | Monaghan | District of Kitimat | 270 City Centre | Kitimat, BC V8C 2H7 | 9,178 |
| Mayor | Susan | Roline | City of Merritt | PO Box 189 | Merritt, BC V1K 1B8 | 7,285 |
| Mayor | John | Dooley | City of Nelson | 101-310 Ward Street | Nelson, BC V1L 5S4 | 9,794 |
| Mayor | Alice | Finall | District of North Saanich | 1620 Mills Road | North Saanich, BC V8L 5S9 | 11,112 |
| Mayor | Ed | Mayne | City of Parksville | PO Box 1390 | Parksville, BC V9P 2H3 | 11,831 |
| Mayor | Keith | Fielding | District of Peachland | 5806 Beach Avenue | Peachland, BC V0H 1X7 | 5,172 |
| Mayor | Stu | Wells | Town of Osoyoos | PO Box 3010 | Osoyoos, BC V0H 1V0 | 5,203 |
| Mayor | Ken | McRae | City of Port Alberni | 4850 Argyle Street | Port Alberni, BC V9Y 1V8 | 17,752 |
| Mayor | Don | MacLean | City of Pitt Meadows | 12007 Harris Road | Pitt Meadows, BC V3Y 2B5 | 18,136 |
| Mayor | Jack | Mussalleim | City of Prince Rupert | 424 West Third Avenue | Prince Rupert, BC V8J 1L7 | 12,994 |
| Mayor | Stewart | Aisgard | City of Powell River | 6910 Duncan Street | Powell River, BC V8A 1V4 | 13,574 |
| Mayor | Mary | Sjostrom | City of Quesnel | 410 Kinchant Street | Quesnel, BC V2J 7J5 | 9,746 |
| Mayor | Teunis | Westbroek | Town of Qualicum Beach | PO Box 130 | Qualicum Beach, BC V9K 1S7 | 8,729 |
| Mayor | David | Raven | City of Revelstoke | PO Box 170 | Revelstoke, BC V0E 2S0 | 7,271 |
| Mayor | Marty | Bootsma | City of Salmon Arm | PO Box 40 | Salmon Arm, BC V1E 4N2 | 17,128 |
| Mayor | Darren | Inkster | District of Sechelt | PO Box 129 | Sechelt, BC V0N 3A0 | 9,496 |
| Mayor | Cress | Farrow | Town of Smithers | PO Box 879 | Smithers, BC V0J 2N0 | 5,408 |
| Mayor | Larry | Cross | Town of Sidney | 2440 Sidney Avenue | Sidney, BC V8L 1Y7 | 11,600 |
| Mayor | Janet | Evans | District of Sooke | 2205 Otter Point Road | Sooke, BC V9Z 1J2 | 10,876 |
| Mayor | Will | Hansma | Town of Spallumcheen | 4144 Spallumcheen Way | Spallumcheen, BC V0E 1B6 | 5,153 |
| Mayor | Greg | Gardner | District of Squamish | PO Box 310 | Squamish, BC V8B 0A3 | 17,898 |
| Mayor | Janice | Perrino | District of Summerland | PO Box 159 | Summerland, BC V0H 1Z0 | 11,007 |
| Mayor | David | Pernatowski | City of Terrace | 3215 Eby Street | Terrace, BC V8G 2X8 | 11,931 |
| Mayor | Dieter | Bogs | City of Trail | 1394 Pine Avenue | Trail, BC V1R 4E6 | 7,242 |
| Mayor | Graham | Hill | Town of View Royal | 45 View Royal Avenue | Victoria, BC V9B 1A6 | 9,743 |
| Mayor | Ken | Melamed | Resort Municipality of Whistler | 4325 Blackcomb Way | Whistler, BC V0N 1B4 | 10,531 |
| Mayor | Catherine | Ferguson | City of White Rock | 15322 Buena Vista Avenue | White Rock, BC V4B 1Y6 | 19,278 |
| Mayor | Kerry | Cook | City of Williams Lake | 450 Mart Street | Williams Lake, BC V2G 1N3 | 11,002 |