

**Town of Ladysmith
COUNCIL AGENDA
LATE ITEM
FEBRUARY 16, 2021**

6.1. Temporary Use Permit: Temporary Shelter: 440 1st Avenue

Add correspondence (attached) received after publication of the agenda.

Received February 16, 2021

Temporary Use Permit at 440 1st Ave Ladysmith

This letter is to address some concerns I have as a neighbor to the proposed TUP for 440 1st Ave Ladysmith. I operate Old Town Bakery which is located next door to the site at 540 1st Ave. I have 2 main issues I'd like to bring to council.

One is of safety for my staff. As a bakery, we have staff arriving (alone) 6 days a week between 2 and 3am. Our staff park in the alley behind the bakery (between 1st & 2nd ave) and enter the building from the back. The entrance to our shop is hidden from "street view" as it is down 2 flights of stairs, it is also a covered (from weather) and lit area. For these reasons it is often used as a place for people to seek shelter (which I understand), but also to get high, shoot up etc. I have had to, on a number of occasions when working late, ask individuals to vacate the area before my staff arrive

Second is concern for property. Last year alone, while the temporary camp was set up in town, I had to call RCMP to deal with several issues of property damage. We have 2 large dumpsters behind our shop that were broken in to on several occasions. Metal rods and wrenches were used to break the padlocks, files were used to cut through bolts and pins, and on other occasions they simply jumped on the lids of the dumpsters until they caved in. After gaining access, they would drag garbage bags out of the dumpsters and down the stairs, where they would tear apart the bags & take what food they could find, leaving a mess to to clean up. We've had issue with someone using our recycle bins as a toilet. We've also had damage done to staff bicycles that were chained up (down the stairs), bolts removed, tires stolen etc, and to the metal door to our storage shed (also halfway down the stairs) when they tried to force entry into the building

These issues addressed, we are all human. I do have compassion for the situation this past year has put many people in. If the town does decide to go ahead with the site where it is, I can only hope there will be a lot of security measures added to address these issues and any others people may have. This past year has been incredibly stressful for the small businesses trying to keep their doors open, I ask we don't make it any harder for them, or any of our neighbors around the site

Thanks,

Geoff Cram

Received February 16, 2021

Alison & Clayton Strom
Bliss Yoga Studio & Wellness Centre

120 Roberts Street
Ladysmith BC, V9G1B4
Phone: 250-210-9642
Email: info@myblissyogastudio.com

February 16, 2021

RE: TEMPORARY USE PERMIT
TUP 21-01(440 1st Avenue)
LEGAL ADDRESS: LOT 6, BLOCK 27, DISTRICT LOT 56, OYSTER DISTRICT, PLAN 703

We are writing with regard to the “Temporary Use Permit” of the above noted property. We would like the Town and Council to know that we are very much in agreement with the Government of BC and the BC Housing Management Commission and the Town of Ladysmith that we should provide a safe place for individuals experiencing homelessness during the COVID-19 Pandemic. Let it be noted, that this particular location is not one we support for this purpose. The proposed location for this endeavor is near many residential homes (we are raising a small child in this neighbourhood) and on the main business street in our town. Many businesses in this town have suffered unprecedented loss after both 9 months of Forestry Strike and now the ongoing devastation to business because of the COVID 19 Pandemic. Of the businesses that still open, many are struggling to survive – ours included.

We are certain that should any one of you Folks be living directly behind or directly within the vicinity of this proposed site, or if your main source of income in a local business was at risk of being further compromised during this time of Pandemic, that you too would be wanting, if not insisting, upon answers to the questions we are asking you in this letter.

Let it also be known that we did attend the BC Housing Management Commission “Information Session” online on Wednesday February 10th, and during this meeting any questions asked of the panel were cheerfully, artfully and skillfully avoided. Therefore, we have proposed the following questions for you all, and they are questions that we feel are critical structural pieces that should be answered before saying yes to this proposed TUP.

1. Safety

According to the Draft Proposal 4 d) “the site must be adequately supervised, 24 hours a day, 7 days a week by at least one person who is either:

- i. A security guard, licensed under the Security Services Act**
- ii. A health care practitioner
- iii. A social worker; or

- iv. A person with experience in the social work or a related field”

And

- a) According the draft Proposal 4c “the site services shall be provided to occupants, either at the facility or another location including:
 - i. Meals
 - ii. Access to showers and laundry facilities
 - iii. Health care and first aid, as required
 - iv. Daily cleaning of indoor facilities; and
 - v. **Daily cleaning of adjacent sidewalk, boulevard and parking spaces including removal of litter and drug paraphernalia as required**

Questions:

- a) In any given 24 hour time period, how many hours of the day will there be an actual security guard on site? Will those hours be made available to local neighbourhood residents or businesses?
- b) What is the area that that “security guard” will be responsible for? How far away from the building will it extend? Will it be in front only? Will it include the back?
- c) Will cameras be installed as a part of the security measures?
- d) Will there be increased and regular local RCMP presence - particularly in the following areas: baseball field, back PUBLIC parking lot and alley way leading down to 1st Ave?
- e) Will better lighting or town security be installed in the parking lot for i. patrons of local business and employees of local businesses to safely continue to park there during winter hours and ii. to dissuade drug use in the back alley as it is “not permitted” on the premises?
- f) What is “adjacent side walk”? Does this include the back alley and back parking which is public parking to the town and local businesses? If members of this Shelter who do use drugs cannot use on premise, they will be looking for places close by to use – will we as a downtown community be just needing to step over needles and be on the lookout? Or do we have a plan?
- g) With this in mind, will a designated Town of Ladysmith employee be regularly sweeping the baseball field, dugouts, community gardens, town parking lot and alley for discarded drug paraphernalia?
- h) Will a safe injection site or safe drug paraphernalia disposal sites be available to the residents of this Shelter?
- i) Will naloxone kits be available to local residents and business who, should they find someone in on their property/business in an overdosed state, so that they can try to save them?
- j) Will training on use of naloxone kits be available to local residents and business owners for this same reason?
- k) Is the BC Government or the Town of Ladysmith currently offering any grants to residents or businesses within close proximity of the Shelter for extra security measures for their own property and/or business for the duration of this proposal?

Since the last TUP of the summer we have seen an unprecedented increase in theft, drug trafficking and drug paraphernalia in the back parking lot, baseball field, and alleyway.

2. Structure & Support in place for Neighborhood and Business Community

Should there be an increased crime rate or trespassing on public property or finding drug paraphernalia on private property or in the public parking or alley ways, who is:

- a) The Business Community liaison to: BC Housing Management Commission?
- b) The Neighbourhood Liaison to BC Housing Management Commission?
- c) The Business Liaison to our local RCMP?
- d) The Neighbourhood Liaison to our local RCMP?
- e) The Business Liaison to the Town of Ladysmith?
- f) The Neighbourhood Liaison to the Town of Ladysmith?

3. Renewal & Other Locations

According to draft Proposal 9. "pursuant to section 497 (2) of the Local Government Act, this permit may be renewed once only by a Council resolution up to a maximum of three(3) Years"

- a) If this is the normal amount (maximum of time) for any TUP renewal, can we ensure that the 1 year mark is the maximum as proposed by the BCHMC?
- b) Were there any other locations proposed in town that are not on the main business strip and, if so, what were they? Why was this site the only site on deck?

4. Future Business Development

- a) How will this affect the movie industry and their interest in our town?
(this is an industry that although disruptive while here, spends money in local businesses and compensates locals and businesses that experience business & personal interruption due to filming)
- b) What does this look like for the downtown core in terms of new investors and new businesses to the town of Ladysmith ?
- c) How does this affect the Travellers Project of the 5 star restaurant and boutique hotel – 3 buildings away?

In closing, we ask the Mayor and Council: If this TUP is granted, what structures are already in place, **or need to be put in place** to support this Proposal **AS WELL as local businesses and neighbourhood residents?** If these Structures are not already in place then how can we be a **forward-thinking** community and **PUT these structures in place, quickly and effectively?** When and how will the answers to these questions be made public to the neighbourhood residents and the local business community? If we are committed to helping the homeless at this time, we too must be equally committed to ensuring the local economy and business community make it though these unprecedented times. We have seen an exponential increase in IV drug activity in this area since the last TUP and we, as a community, owe it to our local businesses to think carefully and critically about this location and the possible impacts it may have on an already suffering business community.

We look forward to hearing your answers to these critical questions and are eager to be of service wherever we can.

Please feel free to reach out to us at any time.

Alison & Clayton Strom
Bliss Yoga Studio and Wellness Centre

Received February 16, 2021

From: Brooke Mycroft <
Sent: February 16, 2021 4:56 PM
To: Council <towncouncil@ladysmith.ca>
Subject: Temporary Use Permit TUP 21-01 (440 1st Avenue)

I am writing with regard to the proposed Temporary Use Permit stated above to be determined at tonight's meeting (Feb 16, 2021)

First, please note that I absolutely agree that individuals experiencing homelessness during the Covid-19 Pandemic need a safe place to shelter. My concern is that the proposed location is not suitable and therefore I believe the permit should be denied.

The proposed location is in the heart of the main business district of Ladysmith. It is also in close proximity to family homes, apartments and youth sports. My main concern is safety. I am also concerned about a negative impact on local businesses that are already struggling to survive during this pandemic.

I am a mother, a wife, and a local contract worker.

Right now my teen daughters can comfortably walk down the main street unsupervised, spreading their wings so to speak in one of the only ways available to them right now. If this shelter happens, this is no longer a viable option unless there are strict safety measures in place. In my experience, homelessness rarely exists on its own. It is often complicated by mental health issues and drug use. The possibility of drugs being more visible and more easily accessible to our town's youth is frightening. Mental health issues are on the rise and are especially prevalent in youth right now due to the pandemic. It concerns me that the Town may inadvertently contribute to youth self-harming behavior.

Right now my husband works in an office on the corner of 1st Avenue and parks in the back PUBLIC parking lot. If this shelter happens, I will be concerned for the safety of his vehicle and his personal safety. In my experience, shelters attract more folks than they can shelter. I know this site is planned for a limited number of people, but it is highly likely that many more will show up on a daily basis and congregate in the general vicinity. Discarded drug paraphernalia becomes an accompanying risk here then as well.

Right now I work as a yoga instructor and I park for work at night in the parking spot off the alleyway leading down to 1st Avenue. If this shelter happens, I will be concerned for my own personal safety. In my personal experience, the alley and back PUBLIC parking lot have given me pause on a few occasions. I'm worried I will come across someone unsafe as I walk into and out of work. The current public parking lot lighting does not create a safe place.

My questions:

1. Will better lighting be installed in the parking lots?
2. Is there a plan for members of the shelter who use drugs so that they will NOT use on the doorsteps of local businesses and homes?

3. Will the Town be regularly sweeping the vicinity for drug paraphernalia?
4. Will there be an increased local RCMP presence?
5. Will there be an on-site 24hour security guard at the shelter?
6. If my daughters, husband or I, experience a crime, witness trespassing, or find drug paraphernalia, who do we specifically contact?

If the permit is accepted, the Town needs to swiftly put in place structures that support the shelter AND the local businesses and neighbors. My hope is that the Town will deny this permit (or at the very least, pause it until suitable structures are in place) and find a reasonable alternative that carefully addresses all the moving parts that come with a homeless shelter.

Thank you for taking my email into consideration. I appreciate all that do.

Be Well,

Brooke Mycroft ~ BA, MEd, RYT

Instructor

<https://myblissyogastudio.com/>

www.facebook.com/BlissYogaStudioWellnessCentre/

Received February 16, 2021

From: Andrea Rosato-Taylor <andrea.rosato-taylor@ladysmithchronicle.com>

Subject: public housing issues and concerns

Date: February 16, 2021 at 4:48:27 PM PST

To: Jennica Graham <jennica@lrca.ca>, Allison McCarrick <AMcCarrick@ladysmith.ca>

I am very double minded I know as a society we need to take care of the homeless, I am personally familiar with the issue as I had a brother who was homeless, I understand the complexity of this issue and the guilt that goes along with it.

I am conflicted within myself to take care of people who have these issues and protecting the businesses and their investment. I am sure you all do as well.

Tamara Stone who is in this email and Kamal Saab have both expressed concern.

Tamara Stone was on the BC housing call and had many questions --- most of which did not get answered.

This concerns me --- we should have a plan of how this is going to work, who is responsible, who is going to make sure our streets are presentable.

She brings up many good points, she pays \$10,000 dollars a year in taxes and as a small business owner she is concerned about the surrounding area.

I have sent several examples of other business owners who have been dealing with needles that still have drugs in them or blood, plus other issues.

We have no plan to help these businesses except download the responsibility to them when in truth it is all of our responsibility.

We [the business community] understand if these needles are on private property that we the owners are to take care of the cleanup and disposal. This comes at a cost to our the business owners. We are downloading a societal issue on to these individuals with no compensation.

The other question is who is taking care of the public areas? Is there a schedule or expectation of these areas to be looked after? If business owners are taking care of their property at their cost what assurances do we have that the public areas are being taken care of.

We [meaning all of us in this community] have worked hard to create a community of tolerance and business acumen that is mutually beneficial and supportive, So this is just not about "not in my backyard" however, I think what is missing is we do not see a plan of how some of our concerns are going to be handled. Again I ask where are the assurances that we are asking for -- these are not unreasonable requests.

It does seem strange that " we were voted best street in Canada" and we choose our best asset to incorporate public housing. Was there no other option in Ladysmith?

We do many things right -- but we currently have an outhouse for a public restroom in our downtown and now public housing. As you can see we are not feeling overly confident at the moment.

Tamara, has actively been researching the cause and the effect of a neighbourhood and what happens. She sites a case in Victoria [she drove down last week and went by a BC Housing facility] and she saw that outside the building ----- there was garbage etc. everywhere.

She also has seen the same issues in Nanaimo and sites another neighbourhood in Vancouver.

I am not suggesting that we turn people away -- but I do think that all of us in this decision with the exception of Tamara Stone and our other businesses in and around the hotel can afford to be generous with our attitude because to be honest it really does not affect us on a daily basis.

We need to be thoughtful about our local businesses as they are the backbone of Ladysmith and help drive our economy.

Hope to hear your thoughts?

Thanks, Andrea

Andrea Rosato-Taylor, Publisher
The Ladysmith Chemainus Chronicle
940 Oyster Bay Drive, Box 400
Ladysmith, BC, V9G 1A3
Office Ph: 250-245-2277
Dial Direct: 250-924-6084
Fax: 250-245-2230
publisher@ladysmithchronicle.com
www.ladysmithchronicle.com www.chemainuschronicle.com