

STAFF REPORT TO COUNCIL

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

RECOMMENDATION:

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

EXECUTIVE SUMMARY:

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

PREVIOUS COUNCIL DIRECTION:

Resolution	Meeting Date	Resolution Details
CS 2025-096	April 15 th , 2025	That Council give third reading and adopt "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205." <i>Motion Carried</i>
CS 2025-084	April 1 st , 2025	That Council: <ol style="list-style-type: none"> Having considered section 475 of the <i>Local Government Act</i>, and in particular the matters set out in subsections (2)(A) and (b), resolve that: <ol style="list-style-type: none"> The Stz'uminus First Nation, Agricultural Land Commission and School District 68 are the only entities that are appropriate to consult in connection with "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205"; Consultation should be early but need not be ongoing; The consultation process described in the staff report to Council dated April 1, 2025 is sufficient in respect to the proposed Official Community Plan amendment and Staff be directed to refer "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No., 2205" to the Stz'uminus First Nation, Agricultural Land Commission and School District 68 as set out in the April 1, 2025 staff report to Council; Give first and second readings to "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205";

		<ol style="list-style-type: none"> 3. Consider "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205" in conjunction with the Town's Financial Plan, the Town's Liquid Waste Management Plan, and the Cowichan Valley Regional District Solid Waste Management Plan, pursuant to section 477(3) of the <i>Local Government Act</i>; 4. Consider "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205" in conjunction with the Town's Housing Needs Report and the housing information on which the report is based, pursuant to section 473(2.1) of the <i>Local Government Act</i>; 5. Direct staff to schedule a public hearing and notice of the hearing for "Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205"; and 6. Authorize staff to accept and process Temporary Use Permits for Short-Term Rentals prior to adoption of Bylaw 2025. <p><i>Motion Carried</i></p>
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INTRODUCTION/BACKGROUND:

Subject property

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

Adjacent land uses include the following:

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

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

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

Existing Short-Term Rental Regulations

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

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

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

The Short-Term Rental Accommodations Act

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

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

Ladysmith STR TUP Program

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

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

PROPOSAL:

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

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

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

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

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

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

No development or changes to the building are proposed.

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

ANALYSIS:

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

Zoning Bylaw

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

Official Community Plan

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

Some key OCP objectives include the following:

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

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

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

Table 1 - OCP Policy Analysis

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

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

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

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

Table 2 - STR TUP Guideline Analysis

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

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

<ul style="list-style-type: none"> c. A spacious and well-designed layout with adequate ceiling heights and lighting. d. On-site amenities that provide tourist appeal, such as ocean views, decks and patios, hot tubs, swimming pools, water access and outdoor cooking and dining areas. e. Kitchens purposely designed and equipped to maximize functionality, convenience and comfort (e.g., full-sized appliances in a “work triangle”, sufficient storage, small appliances and groceries, and task and ambient lighting). Small kitchens and galley kitchens are generally discouraged. f. Divided work and living areas to support use by the travelling workforce. 	<p>seating area with a view of the ocean. Off-site amenities include a boat launch, Oyster Bay Marina, Machine Shop, 1st Avenue (seven-minute walk), Aggie Field (seven-minute walk), a bus stop, and a seventeen-minute walk to Transfer Beach.</p> <ul style="list-style-type: none"> • The STR's kitchen is sufficiently functional and lit (with natural and artificial lighting). The kitchen is arranged in L-shape with the refrigerator and sink arranged next to one another and a stove on the other side. An island counter can serve as both a food preparation space and dining area. There is dishwasher in the STR. • There is a dedicated workplace near the unit entrance.
<p>8. STR units must be compliant with the BC Building Code and the Town's Building Bylaw. Units constructed without permits must be brought into compliance with the BC Building Code and other safety regulations prior to the issuance of a business licence.</p>	<ul style="list-style-type: none"> • The proposed STR would be operated within a caretaker dwelling, which received an occupancy permit on December 13, 2004. • The Building Department inspected the suite on May 22nd, 2025. No unpermitted construction or concerns with the caretaker dwelling's compliance with the BC Building Code were noted.
<p>9. TUPs may include conditions to mitigate the loss of housing stock caused by converting the residential unit to a STR, such as contributions to the Town's affordable housing reserve.</p>	<ul style="list-style-type: none"> • Due to the proximity to downtown, staff believe the benefit to local tourism outweighs the temporary loss of a caretaker dwelling unit to STR and no additional conditions, such as contributions to the Town's affordable housing reserve, are recommended to mitigate the temporary loss of housing stock.
<p>10. STRs should be booked for a minimum of 60 days per year under normal market conditions. TUPs may include conditions requiring a minimum number of bookings per year.</p>	<ul style="list-style-type: none"> • Staff included a condition in the TUP that the STR must be booked for a minimum of 60 days per calendar year to ensure it does not remain vacant and fails to contribute to local tourism or temporary workforce housing. • On the Province's Short-Term Rental Data Portal, 930 Ludlow Road is shown to have been booked for a total of 109 nights in the last twelve months.
<p>11. STRs should be available year-round and secure bookings year-round. STRs during peak season and long-term rental (more than 3 months) in the off-season may be considered. TUPs may contain conditions regulating the use during certain times of the year.</p>	<ul style="list-style-type: none"> • No timing related conditions are proposed in the draft TUP as it appears the STR will be booked year round.

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

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

ALTERNATIVES:

Council can choose to:

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

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

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

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

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

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

Table 1: Interdepartmental Referral Comments

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

COMMUNITY PLANNING ADVISORY COMMITTEE (CPAC) REVIEW:

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

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

I approve the report and recommendations.

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

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

SUBJECT PROPERTY MAP

930 LUDLOW ROAD



 Subject Property





TOWN OF LADYSMITH TEMPORARY USE PERMIT

FILE NO: 3340-25-03

DATE: June 3, 2025

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

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

Subject Property: 930 Ludlow Road

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

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

PID: 010-208-682

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

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

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

DRAFT



1321812 BC Ltd
930B Ludlow Rd
Ladysmith BC V9G 1B9
washmeonludlow@gmail.com
250-245-3204

ATTACHMENT - D

Date: April 23, 2025

To:

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

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

Dear Planning Department,

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

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

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

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

Alignment with the Official Community Plan (OCP):

1. Support for Tourism and Economic Development:

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

2. Efficient Use of Existing Infrastructure:

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

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

3. Maintaining Community Character and Safety:

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

4. Temporary Nature and Responsiveness:

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

5. No Impact on Long-Term Housing Supply:

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

Conclusion:

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

The suite consists of a 1 bedroom, 1 bath (shower only) unit.
Fully furnished, large south facing windows leading to balcony.
Open concept with a full kitchen
Gas stove, refrigerator and microwave.

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

Sincerely,
Richard Goodwin or Karen Goodwin
403-470-9374 or 403-516-9374
Owners of 1321812 BC Ltd