

STAFF REPORT TO COUNCIL

Report Prepared By: Sue Bouma, Manager of Corporate Services
Reviewed By: Allison McCarrick, Chief Administrative Officer
Meeting Date: May 14, 2024
File No: 4200-20
Re: Alternative Approval Process Confirmation – City Hall

RECOMMENDATION:

That Council:

1. Confirm its direction to staff to carry out an Alternative Approval Process to obtain elector approval to build a new City Hall including Institutional/Commercial space below a housing development on Town-owned lands at 1st Avenue and Buller Street;
2. Establish the deadline for receiving elector responses as 4:00 p.m. on June 25, 2024 (33 days);
3. Establish that the elector response form will be the single elector response form.
4. Approve the total number of electors of the Town of Ladysmith to which the approval process applies is 741; and
5. Direct staff to report the results of the Alternative Approval Process to Council.

EXECUTIVE SUMMARY:

As per the *Community Charter* requirements, staff are seeking Council’s approval of the AAP process outlined above regarding the proposed project to build a new City Hall beneath a housing development on 1st Avenue and Buller Street.

PREVIOUS COUNCIL DIRECTION:

Resolution	Resolution Details
CS 2024-005	That Council direct staff to prepare a borrowing bylaw in the amount of \$13,500,000 for the Buller Street revitalization project located on Town owned lands at 1st Avenue and Buller Street and proceed with the Alternative Approval Process to obtain elector assent.

INTRODUCTION/BACKGROUND:

At its meeting held January 9, 2024, Council approved proceeding with an Alternative Approval Process (AAP) to build a new City Hall and institutional space (previous Council report included as Attachment A). The project would require borrowing an estimated \$13,500,000 from the Municipal Finance Authority (MFA). This type of borrowing requires the approval of electors, and



the borrowing bylaw related to the project needs to receive statutory approval from the Inspector of Municipalities before the process can move forward. “Town of Ladysmith City Hall Loan Authorization Bylaw 2024, No. 2166” received first three readings at the January 23, 2024 Council meeting and received statutory approval from the Inspector of Municipalities on February 26, 2024 so staff are now seeking direction to begin the AAP process.

In an AAP, people who do not support the matter at hand must sign and submit an “elector response form” indicating their opposition. As outlined in the *Community Charter*, if less than 10% of elector response forms are received, the project is considered to have received the approval of the public.

Staff have now prepared the necessary materials to proceed with the AAP and the required resolutions for Council consideration. Section 86(3) of the *Community Charter* requires that prior to proceeding with an AAP, Council must:

- establish a deadline for receiving elector responses;
- determine whether the response will be “single elector” or “multiple elector”; and
- make a fair determination of the total number of electors.

Section 86(3) of the *Community Charter* requires Council to:

Establish a deadline for receiving elector responses.	A minimum of 30 days is required and the timeline proposed by staff is a total of 33 days for electors to respond. Starts May 24, 2024 and ends June 25, 2024 (see timeline below).
Determine the format of the response form: “single elector” or “multiple elector”.	<p>Either form is acceptable under the Charter, however the “single elector” form is the most commonly used and the one recommended by staff (Attachment B). This simply means that each person who wishes to respond will fill out their own form. This protects the privacy of individual electors.</p> <p>The “multiple elector” response form is similar in appearance to a petition where electors would sign their name one above the other on the same form. This limits the privacy of those signing.</p>
Determine the total number of electors.	Staff obtained a copy of the most recent Provincial Voters List for that determination and the required report is contained in Attachment C.

The Corporate Officer is responsible for administration of an AAP. The steps and timeline are proposed as follows, and in accordance with the *Community Charter*:

May 14, 2024	Report to Council requesting authorization to proceed; voter numbers; whether or not to use individual or petition-style response forms; and the recommended length of the process.
Starting in March 2024 and updated as necessary	Information provided to voters regarding the AAP – website, at City Hall.
May 16 & 23, 2024	Statutory notices placed in the Ladysmith Chronicle and on the Town’s website.
By May 16, 2024	Elector response forms available at City Hall and on the Town’s website.
May 24, 2024	Completed elector response forms may be received at City Hall.
June 25, 2024	End of elector response period (33 days – minimum 30 days required) and authentication thereafter.
July 2, 2024	Report to Council with the results.

As noted above, if less than 10% of elector response forms are received, the Town will proceed with building a new City Hall below the housing development on the Town-owned properties at 1st Avenue and Buller Street. If the results of the AAP indicate that the Town’s electors do not approve of building a City Hall and institutional space, staff will await further direction from Council.

ALTERNATIVES:

Council can choose to:

1. Establish a different deadline for receiving elector responses.
2. Use the “multiple elector” form for responses to the AAP.

FINANCIAL IMPLICATIONS:

If the AAP is successful, the Town would apply for financing through the MFA Financing Program. The amount to be borrowed is estimated to be \$13.5 million. The estimated yearly payment is \$860,520, and the term of the loan will be up to 30 years.

LEGAL IMPLICATIONS:

The AAP must be conducted in accordance with Provincial legislation.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

AAPs are an opportunity for citizens to indicate whether or not they approve of the proposed borrowing. Statutory notices will be placed in the Ladysmith Chronicle newspaper and on the Town website on two consecutive weeks. The website will also include background information about the proposed borrowing so that the public has all information available to them.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Corporate Services will conduct the AAP and Financial Services will manage the borrowing process.

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|--|---|
| <input type="checkbox"/> Core Infrastructure | <input 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. January 9, 2024 Staff Report _Buller Street Revitalization Project
- B. Elector Response Form
- C. Sample of Notice #1
- D. Sample of Notice #2
- E. Report - Total Number of Electors

STAFF REPORT TO COUNCIL

Report Prepared By: Erin Anderson, Director of Financial Services and Sue Bouma, Manager of Corporate Services
Reviewed By: Allison McCarrick, CAO
Meeting Date: January 9, 2024
File No: 4200-20
Re: **Alternative Approval Process – Buller Street Revitalization Project**

RECOMMENDATION:

That Council direct staff to prepare a borrowing bylaw in the amount of \$13,500,000 for the Buller Street revitalization project located on Town owned lands at 1st Avenue and Buller Street and proceed with the Alternative Approval Process to obtain elector assent.

EXECUTIVE SUMMARY:

The Town is pursuing opportunities to work with the Provincial and Federal Governments to build housing in the downtown heart of Ladysmith. This housing is proposed to be provided above a new city hall and institutional space on the Town-owned properties at 1st Avenue and Buller Street. Staff are seeking Council’s direction to prepare a borrowing bylaw and to proceed with an Alternative Approval Process (AAP) to fund the city hall and institutional space.

PREVIOUS COUNCIL DIRECTION:

Resolution	ResolutionDetails
CE 2017-132	That Council direct staff to bring the City Hall Space Requirements and Funding Strategy back to the July 17th Closed Meeting of Council with the following items noted: <ol style="list-style-type: none"> 1. Potential partnership 2. Direct award options 3. Debt servicing limits, with consideration of all other current and upcoming capital projects 4. Accommodating additional staff in the Council office for the interim 5. Use of the Seniors’ Centre for Council meetings in the interim 6. Comparisons with municipal building costs in other communities



Resolution	ResolutionDetails
CE 2016-086	That Council direct staff to prepare a report outlining options for financing the construction of a new City Hall, including the Town's capacity to borrow funds and alternative arrangements such as leasing or lease to purchase.
CE 2016-065	That Council receive the report from Process Four on the City Hall Optimization Project as a guideline for the design and construction of a new City Hall, and invite report author Jim Sumi to a future Council meeting to present the report and discuss his recommendations.
CE 2013-049	It was moved, seconded and carried that the draft agreement for Right of First Refusal for the purchase of properties on Buller Street and First Avenue owned by the Ladysmith and District Credit Union be approved, and that staff be directed to execute the agreement.
CE 2013-051	It was moved, seconded and carried that Council arise with report on Resolution CE 2013-49, that staff were directed to execute an agreement for Right of First Refusal for the purchase of properties on Buller Street and First Avenue owned by the Ladysmith and District Credit Union.

INTRODUCTION/BACKGROUND:

The need for a new city hall has been discussed and listed as a strategic priority for several years. Since 2013, the Town engaged with consultants to prepare a space-needs assessment and to analyze various options/locations for a new city hall building. In 2015, the Town purchased the lands located at Buller Street and 1st Avenue with the intention of constructing a new administration building.

The current city hall no longer fits the needs of the community. The building is too small and requires staff to work out of multiple locations, which results in process inefficiencies. The Town pays for rented space at 132c Roberts Street and also utilizes an off-site storage area due to moisture and rodent issues at the current city hall. Over the years, minor modifications have been made internally to accommodate additional staff by re-arranging offices and moving Council meetings to the Seniors Centre, though the functional inefficiencies remain. The opportunity to work with upper levels of government and achieve housing and a new city hall on the Town owned property is a great opportunity for the community.

The current city hall was constructed in the early 1950's¹ (see Attachment A regarding the history of Ladysmith city halls published by Ladysmith Chemainus Chronicle on March 22, 2016 by Ed Nicholson). Recently, there have been several necessary upgrades to the

¹ Ladysmith & District Historical Society - <https://www.ladysmithhistoricalsociety.ca/histories/buildings/410-esplanade-avenue-ladysmith-british-columbia/> accessed January 4, 2024.

building, such as a new roof and windows in 2023. These upgrades were required to ensure the building would remain functional into the future, but further renovations would be required if the building is to remain as a city hall.

Borrowing process

Borrowing funds for a period of more than five years requires the Town to pass a loan authorization bylaw. In accordance with the *Community Charter*, before the bylaw can be adopted, it must receive approval from the Inspector of Municipalities and then receive the approval of the Town's electors. Although elector approval may be sought via a referendum or an AAP, staff are recommending using the AAP approach as it is a more cost-effective process.

The proposed introduction of the borrowing bylaw for first three readings is January 23, 2024, after which the bylaw will be forwarded to the Inspector of Municipalities. Upon approval by the Inspector of Municipalities, staff will return to Council with the Alternative Approval Process.

If the final results of the AAP indicate that the Town's electors do not approve borrowing funds to build a city hall and institutional space below the proposed housing development, staff will provide alternative options for the Town-owned properties at 1st Avenue and Buller Street.

ALTERNATIVES:

Council can choose to:

1. Sell the property at 1st Avenue and Buller Street.
2. Direct staff to hold a referendum on the borrowing question instead of an AAP. (This will be much more costly than running an AAP due to additional staff time, facility costs, ballots and voting machines.)
3. Not proceed with the Buller Street project.

FINANCIAL IMPLICATIONS:

This project contains housing, a city hall, and institutional space, though the Town would only be borrowing for the city hall and institutional space, not for the housing portion of the project. There are economies of scale savings using the same developer throughout the entire construction project.

Borrowing is estimated to be \$13,500,000. Similar to all previous borrowing, the Town will use the Municipal Finance Authority to borrow the funds. Using the interest rate of 4.5% over 30 years, the annual estimated debt payments would be \$860,520.

At the November 21, 2023, Council meeting, staff presented a 6.3% budget increase for the 2024 fiscal year. Council also approved a number of Higher Service Level Requests which added an additional 0.7% to the budget. Included in the proposed budget was \$590,520 for asset renewal. These renewal funds would be used to offset the annual borrowing costs. There is a shortfall of \$270,000 to cover the annual debt payments, though it would not be required until 2025 due to the timing of the project and borrowing timelines.

Running an AAP does have additional costs for communications, statutory advertising and mailouts. It is expected that the staffing costs will be absorbed into the current budget.

LEGAL IMPLICATIONS:

The municipal borrowing process is highly legislated through the *Community Charter*².

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Statutory advertising will be completed, and the AAP timelines will be followed, allowing for public participation. The Ladysmith & District Historical Society currently occupies a Town-owned building on the proposed site. Staff have discussed the potential of relocating the Museum to another location if the AAP passes and negotiations with the higher levels of government are successful. A report for consideration by Council will be brought forward when appropriate.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

If approved, Corporate Services will lead the AAP; Finance will lead the borrowing process.

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

I approve the report and recommendation.

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS

A – Ladysmith Chemainus Chronicle – “A brief history of our city halls” by Ed Nicholson, March 22, 2016.

² Community Charter s.179 & 180

LADYSMITH CHEMAINUS CHRONICLE

A brief history of our city halls

Ed Nicholson

Mar 22, 2016 7:00 PM



The opening address at the present city hall by Mayor Len Ryan in 1952.

In February of 1902, a group of local businessmen met in the Checkers Room of the Grand Hotel to form the Ladysmith Board of Trade. They wanted to incorporate Ladysmith as quickly as possible so that the new city would rival Nanaimo. They discussed the need for a water and sewer system, electric lighting and a cemetery for the new city. They also decided where the civic centre of Ladysmith would be located.

James Dunsmuir supported incorporation, but did not want his industrial facilities included within municipal boundaries. Nor did the owners of the smelter and several other employers including future mayor John Coburn.

After canvassing local businesses and property owners, a decision was made to petition the Provincial government. Despite the fact that Newcastle provincial riding had elected a socialist MLA, the Conservative government of Richard McBride agreed and letters patent were issued on June 3, 1904.

Elections were quickly held in the Oddfellow's Lower Hall. Mayor John Coburn who had served previously as Mayor of Wellington, was a logical choice for Ladysmith's first Mayor. He was joined by Aldermen Dan Nicholson, Murdoch Matheson, Henry Blair, William Beveridge and George Haworth. All positions, including City Clerk and Police Constable were elected by acclamation. (In fact, until January of 1908, no vote was necessary in a Ladysmith City election!)

The first meeting of the new city council was held in the recently built Oddfellows Hall. Meetings were held here or in the Grand Hotel Checkers Room until, in October of 1904, Council purchased a lot at 207 Roberts Street. William Nicholas was hired to draw up plans for a combination City Hall, Jail and Fire Station. Downstairs held the fire hall, two jail cells and a bedroom for an attendant. The Upper floor contained a 23 by 35 foot area for the Council Chambers. This area also served as a court room after the city appointed a magistrate in 1905.

This building was used as City Hall until 1917 and continued as the Fire hall until the Safety Building on Dogwood Drive was constructed in 1973. Later, the building at 207 Roberts was used for many years by the Fraternal Order of Eagles, who renovated the interior and took down the hose drying chamber. Today it is a private residence.

However, Ladysmith's service needs were growing rapidly, and the elected officials realized there was a need for a new location in which to conduct the city's business. In 1917, Mayor Pannell informed electors that the Fire Department required more space in the existing building and other municipal services should be relocated to a new common area.

The council began a search for a new home. As it turned out, the answer was less than a block away. For a number of years, the Grand Hotel at the corner of Roberts and Esplanade had been in financial

difficulty from both the loss of business during the Coal Strike and a requirement to make structural changes to the hotel due to changes in the provincial liquor laws. In August of 1917, owner William Beveridge agreed to sell the old hotel to the council for the sum of \$600 plus the cancellation of back taxes. After purchasing the Grand, the building was renovated to contain the civic chambers, the city clerk's office, the jail, the library, a morgue, and later a public health clinic.

This arrangement lasted until 1951, when the steadily increasing population of Ladysmith had outgrown the ability of the repurposed hotel to serve the municipal requirements of a modern town. Town Council presented a plan for a new Municipal Building immediately behind the existing site which would cost the town \$45,000. It called for a one-storey stucco building with a footprint of approximately 54 by 64 feet. The new structure would serve both as town hall and RCMP station, with the council chamber doubling as a court room. The Ladysmith Library also shared the building space.

On Wednesday, January 23, 1952, Mayor Len Ryan proudly opened the first meeting of city council in their new "spacious" chambers. In the 64 years since that meeting, Mayors Kay Grouhel, Bob Stuart, Frank Jameson, Alex Stuart, Rollie Rose, Rob Hutchins and Aaron Stone have all endured complaints about a crowded, stuffy council chamber with uncomfortable chairs and long winded local politicians.

Ed Nicholson is Board Chair of the Ladysmith Historical Society. With thanks to fellow society volunteer Harald Cowie, who provided research for this article.

Town of Ladysmith Alternative Approval Process
Borrowing to Build a New City Hall Beneath a Housing Development

By completing this Elector Response Form, I **oppose** the Town of Ladysmith Council’s intention to borrow up to \$13.5 million dollars to be repaid over a period up to 30 years in order to finance the construction of a new City Hall including Institutional/Commercial space beneath a Housing Development on Town-owned lands at 1st Avenue and Buller Street.

Completed Elector Response Forms must be returned to the Town of Ladysmith **by 4:00 p.m., Tuesday, June 25, 2024**. Office hours are 8:30 a.m. to 4:00 p.m. Monday through Friday excluding statutory holidays.

By signing the Elector Response Form you are certifying that:

Resident Elector	Non-Resident Elector
<ul style="list-style-type: none"> ✓ I am a Canadian citizen; ✓ I am 18 years of age or older; ✓ I have been a resident of British Columbia for at least the last six months; ✓ I reside in the Town of Ladysmith; ✓ I am not disqualified by law from voting in local elections; and ✓ I am entitled to sign this elector response form for the proposed bylaw. 	<ul style="list-style-type: none"> ✓ I am a Canadian citizen; ✓ I am 18 years of age or older; ✓ I have been a resident of British Columbia for at least the last six months; ✓ I have owned and held registered title to a property in the Town of Ladysmith for at least the last 30 days, (and have been designated as the elector in that property); ✓ I am not disqualified by law from voting in local elections; ✓ I may not sign an Elector Response Form more than once in relation to this matter
Elector’s Full Name (print):	
Residential Address (AND mailing address if different from residential address):	
Choose One:	
<input type="checkbox"/> I am a resident elector <input type="checkbox"/> I am a non-resident elector who lives in another community and owns property in the Town of Ladysmith located at: _____	
Signature of Elector:	

How to submit the completed form:

In person: City Hall, 410 Esplanade, Ladysmith, BC V9G 1A2



By mail: PO Box 220, Ladysmith, BC V9G 1A2

See the reverse side of this form for further information regarding the alternative approval process

Attachment B



Borrowing to Build a New City Hall Beneath a Housing Development Information Sheet

Council intends to borrow funds through the Municipal Finance Authority of British Columbia to finance the construction of a new City Hall and Institutional/Commercial space beneath a housing development on Town-owned lands at 1st Avenue and Buller Street. The amount to be borrowed is up to \$13.5 million. The estimated yearly payment is \$860,520 and the term of the loan will be up to 30 years.

A Public Information Package on this proposed project is available at City Hall reception, 410 Esplanade, Ladysmith, BC and on the Town's website at www.ladysmith.ca.

Only electors of the Town of Ladysmith are eligible to sign the Elector Response Forms. There are two types of electors - *resident* and *non-resident*, as outlined on the front page.

INSTRUCTIONS

- If you are opposed to the borrowing of a total of thirteen million, five hundred thousand dollars (\$13,500,000) for the construction of a new City Hall including Institutional/Commercial space beneath a Housing Development on Town owned lands at 1st Avenue and Buller Street, and you qualify as an elector of the Town of Ladysmith, you may sign an alternative approval process elector response form.
- If you are **not opposed** to borrowing thirteen million, five hundred thousand dollars (\$13,500,000) for the construction of a new City Hall as outlined above, you do not need to do anything.
- To submit an elector response form you must qualify as a resident elector or a non-resident property elector within the Town of Ladysmith.
- Only one elector per elector response form is permitted.
- **All alternative approval elector response forms must be received by 4:00 p.m. on Tuesday, June 25, 2024.** Office hours are 8:30 a.m. to 4:00 p.m. Monday through Friday, excluding statutory holidays.

For further information please see: www.ladysmith.ca/aap

Section 86(6) of the *Community Charter* requires all electors to submit their response on the form established by the Town of Ladysmith or an accurate copy of that form. If this form is altered in any way, it must be rejected by the Town.

**NOTICE TO ELECTORS OF THE TOWN OF LADYSMITH
OF AN ALTERNATIVE APPROVAL PROCESS**

This notice is the first of two notices to advise electors in the Town of Ladysmith that Council intends to borrow funds through the Municipal Finance Authority of British Columbia for the construction of a new City Hall including Institutional/Commercial space. The amount to be borrowed is up to \$13.5 million. The estimated yearly payment is \$860,520 and the term of the loan will be up to 30 years.

The proposed new City Hall would form the foundational floor of a not-for-profit housing development offering workforce housing for middle income earners. The approximate 90 rental units to be built on the Town-owned properties at 1st Avenue and Buller Street will be a mix of unit configurations based on the Town’s Housing Needs Assessment Report. The housing development would be funded by the non-profit developer and the Province of BC.

A **Public Information Package** about the New City Hall borrowing is available at City Hall reception, 410 Esplanade, Ladysmith, BC and on the Town’s website at www.ladysmith.ca.

ALTERNATIVE APPROVAL PROCESS

In accordance with sections 84 and 86 of the *Community Charter*, Council must seek the approval of the electors through an Alternative Approval Process. The area to which this Alternative Approval Process applies is the Town of Ladysmith as defined by its municipal boundaries.

Council will commit to borrowing the money and apply for funding of up to \$13.5 million unless by 4:00 p.m. on Tuesday, June 25, 2024, at least 10 percent of the electors in the whole municipality sign an Elector Response Form opposing the borrowing. The number of elector responses required to prevent the Town of Ladysmith from proceeding is 741. A report outlining the basis on which this determination was made is included in the Public Information Package.

Elector Response Forms are available during regular business hours (8:30am to 4:00pm) at Ladysmith City Hall, 410 Esplanade, Ladysmith, BC. The form can also be downloaded from the Town of Ladysmith website: www.ladysmith.ca.

Beginning on Friday, May 24, 2024 signed forms can be submitted in person at City Hall or through the mail.

Elector Response Forms must be in the form established by the Town of Ladysmith Council and only eligible electors in the Town of Ladysmith may sign Elector Response Forms.

There are two types of electors – resident and non-resident.

Resident Elector	Non-Resident Elector
<ul style="list-style-type: none"> ✓ Canadian citizen; ✓ 18 years of age or older; ✓ Resident of British Columbia for at least the last six months; ✓ Reside in the Town of Ladysmith; and ✓ Not disqualified by law from voting in local elections. 	<ul style="list-style-type: none"> ✓ Canadian citizen; ✓ 18 years of age or older; ✓ Resident of British Columbia for at least the last six months; ✓ Have owned and held registered title to a property in the Town of Ladysmith for at least the last 30 days, (and have been designated as the elector in that property); and ✓ Not disqualified by law from voting in local elections.

Property owned in whole or in part by a corporation does not qualify under the non-resident elector provisions.

Deadline: Signed Elector Response Forms must be received by the Corporate Officer at City Hall, 410 Esplanade, Ladysmith, BC **before 4:00 p.m. on Tuesday, June 25, 2024**. Office hours are 8:30am to 4:00pm Monday through Friday, excluding statutory holidays.

This is the first of two publications of this notice. Dated this 16th day of May, 2024.

Sue Bouma
Corporate Officer
Town of Ladysmith
PO Box 220, 410 Esplanade, Ladysmith, BC V9G 1A2
250.245.6400 // www.ladysmith.ca

**NOTICE TO ELECTORS OF THE TOWN OF LADYSMITH
OF AN ALTERNATIVE APPROVAL PROCESS**

This notice is the second of two notices to advise electors in the Town of Ladysmith that Council intends to borrow funds through the Municipal Finance Authority of British Columbia for the construction of a new City Hall including Institutional/Commercial space. The amount to be borrowed is up to \$13.5 million. The estimated yearly payment is \$860,520 and the term of the loan will be up to 30 years.

The proposed new City Hall would form the foundational floor of a not-for-profit housing development offering workforce housing for middle income earners. The approximate 90 rental units to be built on the Town-owned properties at 1st Avenue and Buller Street will be a mix of unit configurations based on the Town’s Housing Needs Assessment Report. The housing development would be funded by the non-profit developer and the Province of BC.

A **Public Information Package** about the New City Hall borrowing is available at City Hall reception, 410 Esplanade, Ladysmith, BC and on the Town’s website at www.ladysmith.ca.

ALTERNATIVE APPROVAL PROCESS

In accordance with sections 84 and 86 of the *Community Charter*, Council must seek the approval of the electors through an Alternative Approval Process. The area to which this Alternative Approval Process applies is the Town of Ladysmith as defined by its municipal boundaries.

Council will commit to borrowing the money and apply for funding of up to \$13.5 million unless by 4:00 p.m. on Tuesday, June 25, 2024, at least 10 percent of the electors in the whole municipality sign an Elector Response Form opposing the borrowing. The number of elector responses required to prevent the Town of Ladysmith from proceeding is 741. A report outlining the basis on which this determination was made is included in the Public Information Package.

Elector Response Forms are available during regular business hours (8:30am to 4:00pm) at Ladysmith City Hall, 410 Esplanade, Ladysmith, BC. The form can also be downloaded from the Town of Ladysmith website: www.ladysmith.ca.

Beginning on Friday, May 24, 2024 signed forms can be submitted in person at City Hall or through the mail.

Elector Response Forms must be in the form established by the Town of Ladysmith Council and only eligible electors in the Town of Ladysmith may sign Elector Response Forms.

There are two types of electors – resident and non-resident.

Resident Elector	Non-Resident Elector
<ul style="list-style-type: none"> ✓ Canadian citizen; ✓ 18 years of age or older; ✓ Resident of British Columbia for at least the last six months; ✓ Reside in the Town of Ladysmith; and ✓ Not disqualified by law from voting in local elections. 	<ul style="list-style-type: none"> ✓ Canadian citizen; ✓ 18 years of age or older; ✓ Resident of British Columbia for at least the last six months; ✓ Have owned and held registered title to a property in the Town of Ladysmith for at least the last 30 days, (and have been designated as the elector in that property); and ✓ Not disqualified by law from voting in local elections.

Property owned in whole or in part by a corporation does not qualify under the non-resident elector provisions.

Deadline: Signed Elector Response Forms must be received by the Corporate Officer at City Hall, 410 Esplanade, Ladysmith, BC **before 4:00 p.m. on Tuesday, June 25, 2024.** Office hours are 8:30am to 4:00pm Monday through Friday, excluding statutory holidays.

This is the second of two publications of this notice. Dated this 23rd day of May, 2024.

Sue Bouma
Corporate Officer
Town of Ladysmith
PO Box 220, 410 Esplanade, Ladysmith, BC V9G 1A2
250.245.6400 // www.ladysmith.ca

INFORMATION REPORT TO COUNCIL

Report Prepared By: Sue Bouma, Corporate Officer
Meeting Date: May 14, 2024
File No: 4200-20
Re: ATTACH E Determination of Estimated Eligible Electors - AAP CITY HALL.docx

PURPOSE:

The purpose of this report is to show the basis for determining the total number of eligible electors in relation to the Alternative Approval Process (AAP) for the borrowing of up to \$13.5 million to finance the building of a new City Hall and Institutional/Commercial Space.

EXECUTIVE SUMMARY:

Section 86 of the *Community Charter* requires Council to make a fair determination of the total number of electors of the area to which the approval process applies (in this case, the Town of Ladysmith as defined by its municipal boundaries). In addition, Council must make available to the public on request, a report on the approach used for making the determination.

The number of people eligible to be a resident elector or a non-resident elector is determined based on those individuals who, when signing an elector response form:

- Are 18 years of age;
- Are a Canadian citizen;
- Have lived in British Columbia for at least the last six months;
- Have lived or owned property in the Town of Ladysmith for at least the last 30 days;
- Live or own property in the area defined for the AAP; and
- Are not disqualified by law from voting in local elections.

For the purposes of this AAP, the estimated number of eligible electors within the Town of Ladysmith is based on the following information:

Number of eligible voters on the Provincial voters list for the Town of Ladysmith on January 23, 2024.	7401
Plus the number of registered non-resident property electors (maintained by the Town)	4
Estimated total number of eligible electors in the area defined for the AAP (whole municipality)	7405
10% of the total number of eligible electors is estimated to be:	741

