



# AGENDA

## Community Planning Advisory Committee

Wednesday, Sept 1, 2021 at 7:00 p.m.  
via Zoom

***Mandate:*** *The mandate of the committee is to provide feedback to applicants and advice to Council on land use applications, policies, regulations and initiatives referred either directly by Council or through the Development Approval Procedures Bylaw.*

1. **ACKNOWLEDGEMENT (7:00pm)**  
The Town of Ladysmith acknowledges with gratitude that this meeting takes place on the traditional, unceded territory of the Stz'uminus First Nation.
2. **AGENDA APPROVAL (7:00pm)**
3. **ADOPTION OF AUG 4. 2021 MINUTES\* (7:05pm)**
4. **NEW BUSINESS**  
None.
5. **COUNCIL REFERRALS (7:05pm)**
  - a. **Façade Development Permit application 3060-21-14 – 516 1<sup>st</sup> Avenue\***
  - b. **Official Community Plan & Zoning Bylaw Amendment application 3360-21-03 – Lot B Russell Road\***
7. **MONTHLY BRIEFING (7:50pm)**  
File Updates
8. **NEXT MEETING - TBD**
9. **ADJOURNMENT (8:00pm)**

\*Attachments



# MINUTES

## Community Planning Advisory Committee

Wednesday, August 4, 2021 at 7:00 p.m.  
via Zoom

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**PRESENT:** Chair – Jason Harrison; Members – Abbas Farahbakhsh, Jason Robertson, Jennifer Sibbald, Steve Frankel, Tamara Hutchinson; Council Liaison – Tricia McKay; Senior Planner & Recorder – Christina Hovey;

**ABSENT:** Member – Brian Childs;

**GUESTS:** Applicants/Owners; Stefan Queitsch and Denise Berquist

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The meeting was called to order at 7:04 p.m., acknowledging with gratitude that Ladysmith is located on the traditional unceded territories of the Stz'uminus People.

It was decided among the CPAC Members to change the order of the agenda so that the Introductions and Role of CPAC (5. a) be done before the Election of Chair (2).

**1. INTRODUCTIONS AND ROLE OF CPAC**

- Senior Planner Christina Hovey provided a brief overview of the Community Planning Advisory Committee Terms of Reference (provided in the CPAC binder and available on the Town's website).
- Council Liaison Councillor Tricia McKay explained the role of CPAC in advising Council, and her personal effort to ensure CPAC has a strong voice at the Council Table. Councillor McKay provided an overview of some of the materials available to CPAC to help them review applications including the Council Strategic Plan, Official Community Plan, and Development Permit Area Guidelines (all provided in the CPAC binder and available on the Town's website).
- Member Introductions (roundtable).

**2. ELECTION OF CHAIR**

Jason Harrison was nominated to act as Chair of the Committee.

It was moved, seconded and carried that Jason Harrison be acclaimed as Chair of the Community Planning Advisory Committee.

**3. AGENDA APPROVAL**

It was moved, seconded and carried that the Agenda of August 4, 2021 be approved as amended.

**4. ADOPTION OF MINUTES**

It was moved, seconded and carried that the Minutes of June 2, 2021 be approved.

**5. NEW BUSINESS**

**a. CPAC Binder Review**

Senior Planner Christina Hovey provided a brief overview of the contents of the CPAC member binders. A new section has been added which includes resolution templates and some references for meeting procedures/best practices.

## 6. COUNCIL REFERRALS

### a. Facade Development Permit application 3060-21-13 – 32 High Street

Applicants/Owners; Stefan Queitsch and Denise Berquist provided an overview of their plans for the building including structural upgrades to the foundation and interior renovations as well as the facade upgrade which is the subject of the development permit application. They explained that the paint colour they selected was found on old materials that had been covered through previous construction. They have been working with the historical society to learn about the history of the building and access old photos of the building. The applicants are not sure yet what they will do with the awnings on High Street, but they will come back in for another development permit when they decide.

Committee members spoke positively about the proposal and were supportive of the plans to improve this prominent heritage building. Committee members spoke positively about the paint colours and windows selected. The Committee discussed the door choices and there was some debate about whether it would be possible to find something else that would look more historic, but still match the building. Members noted that contemporary doors and windows would have energy efficiency benefits and that painting the doors and selecting heritage style hardware would positively impact the appearance of the doors.

**It was moved, seconded, and carried that CPAC recommend:**

- that DP 3060-21-13 (32 High Street) be approved; and
- that the applicant choose heritage style hardware for the doors.

## 7. MONTHLY BRIEFING

### **File Updates:**

The following files that CPAC previously reviewed have been to Council since the last meeting:

- 1130 Rocky Creek Road (File No. 3360-20-02);
- 940 Esplanade Avenue (File No. 3360-21-02, and bylaw enforcement file);
- 10864 Westdowne Road (File No. 3360-20-08); and
- 336 Belaire Street (File No. 3360-20-09/3060-21-06).

CPAC members can review the Council Agendas and Minutes or call staff for further information.

## 8. NEXT MEETING – September 1, 2021 (via Zoom)

## 9. ADJOURNMENT

The meeting was adjourned at 8:12 p.m.

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Chair (J. Harrison)

RECEIVED:

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Corporate Officer (D. Smith)

## CPAC REFERRAL REPORT

Report Prepared By: Julie Thompson, Planner  
 Meeting Date: September 1, 2021  
 File No: DP 3060-21-14  
 Re: Façade Development Permit Application – 516 1st Avenue

### EXECUTIVE SUMMARY:

A façade Development Permit (DP) application has been received for the replacement of exterior tiles and new paint at 516 1<sup>st</sup> Avenue. The building is on the Community Heritage Register and requires a referral to the Community Planning Advisory Committee (CPAC) per the Committee's Terms of Reference.

### INTRODUCTION/BACKGROUND:

The building located at 516 1<sup>st</sup> Avenue is a two-storey commercial building currently containing Pemberton Homes on the first storey. The exterior tiles on the lower left corner of the building were damaged and the applicant has submitted a façade DP application to replace the tiles using a new colour palette and to update some of the exterior paint to match the new tiles.

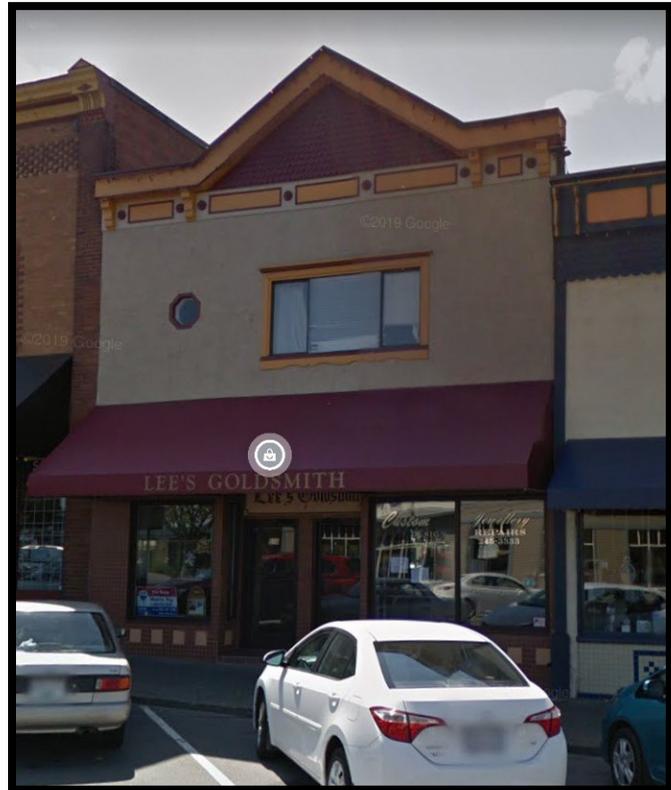


Figure 1: Existing facade colour scheme at 516 1st Ave.

The existing yellow and brown tiles are proposed to be replaced with glossy black and cream coloured tiles. The black tiles are 3" x 5" and the cream tiles are 4" x 4". The trim around the windows on the lower storey and the existing yellow accent on the upper storey will be painted cream to match the tiles. Black painted accents on the upper storey are also proposed. Some of the red accents will remain, including the red awning and trim on the roof apex. See figure 2.

### Development Permit Area 2 – Downtown

The subject property is located in Development Permit Area 2 – Downtown (DPA 2) therefore a DP must be issued prior to the proposed façade improvements. The objective

of DPA 2 is to strengthen the historic downtown as the Town's primary commercial area. New development in the downtown (including façade improvements) should make a positive contribution to revitalization of the area and to the greater whole of the Ladysmith experience. Where buildings will be altered, the guidelines support restoring historic/character defining elements.

According to the Community Heritage Register, the building's character defining elements are:

- The building's location within a large grouping of heritage buildings on the main commercial street.
- The building's simple form and two-storey height.
- The building's boomtown-style front and large windows at the street level.
- The building's continuous commercial use for over a century.

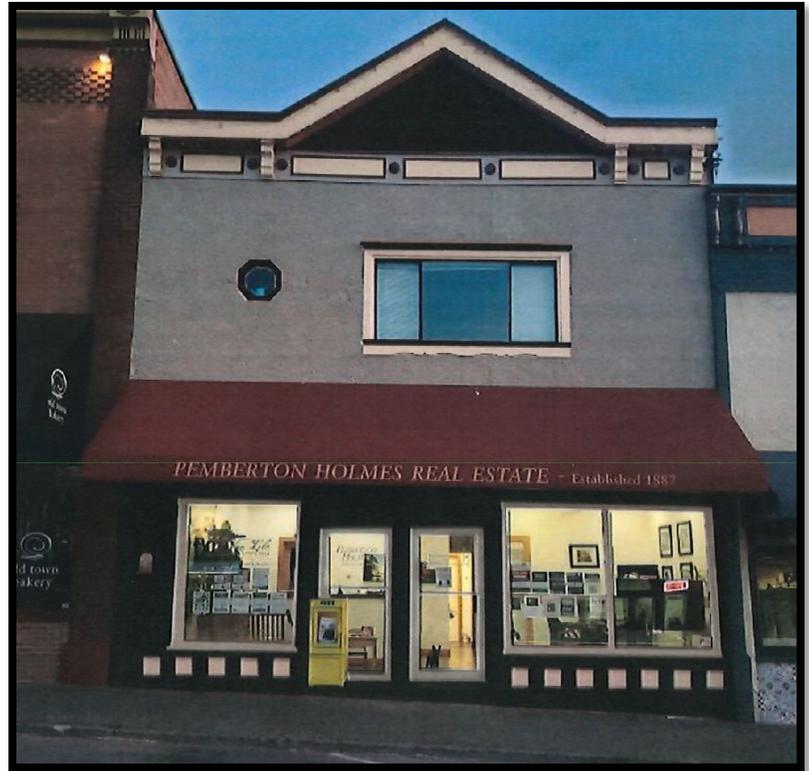


Figure 2: Proposed facade colour palette.

The following DPA 2 guidelines are relevant to the proposal:

- Materials & Colours:
  - 8.a): Building materials should be durable and of high quality. The selection of materials and colours should ensure harmony with the historic downtown buildings and neighbouring buildings. Materials used in the Downtown should reflect the heritage building materials used in Ladysmith, such as wood frame, brick and tile.
  - 8.b): Building colour palettes should be cohesive and sensitive to surrounding heritage buildings. The use of at least three different colours or tones on a building is required. Paint colours in non-traditional palettes may be used to add visual interest to buildings, including details such as doors, cornices, trim and signage.
  - Strongly contrasting, intense, bright and/or vibrant colours should be used for accent only.

Staff note that three colours are proposed and the colour palette is complementary to other buildings in the Downtown. The new tiles are in keeping with the existing tile pattern with an update to the colour.

**ATTACHMENT(S):**

- Applicant submission
- Community Heritage Register Excerpt

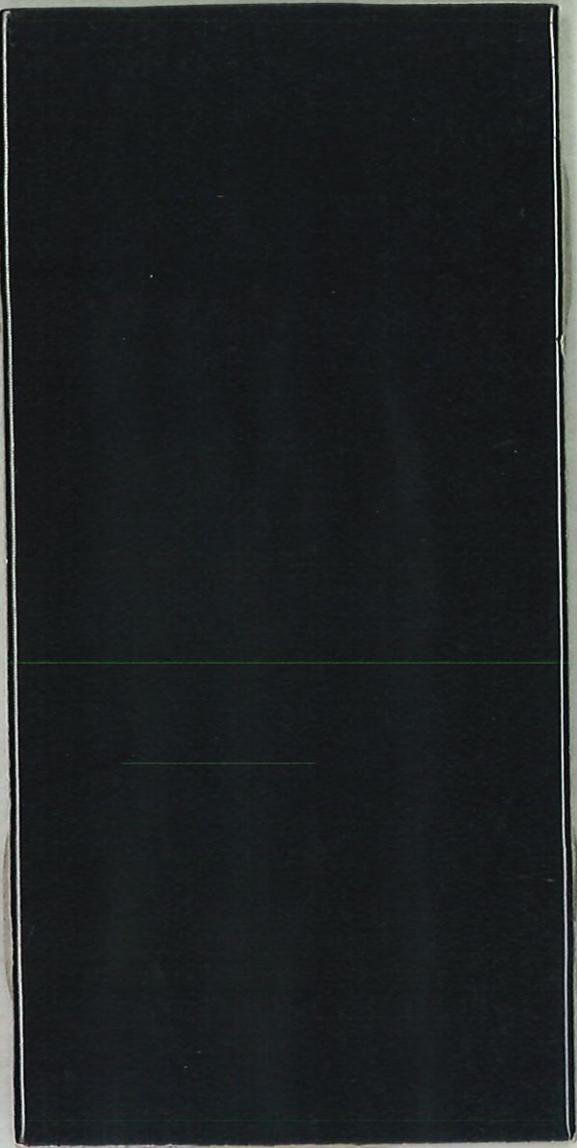


Current colours.  
School bus yellow eliminated &  
replaced by dainty lace.

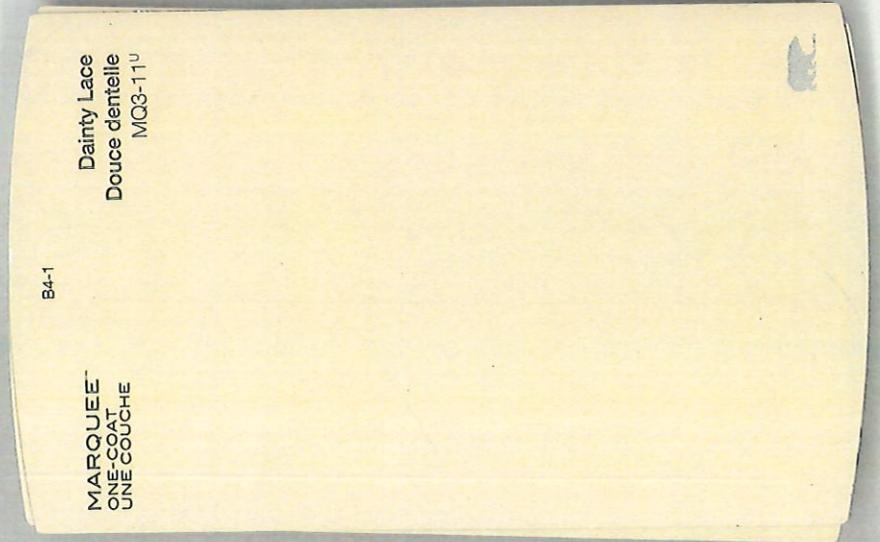
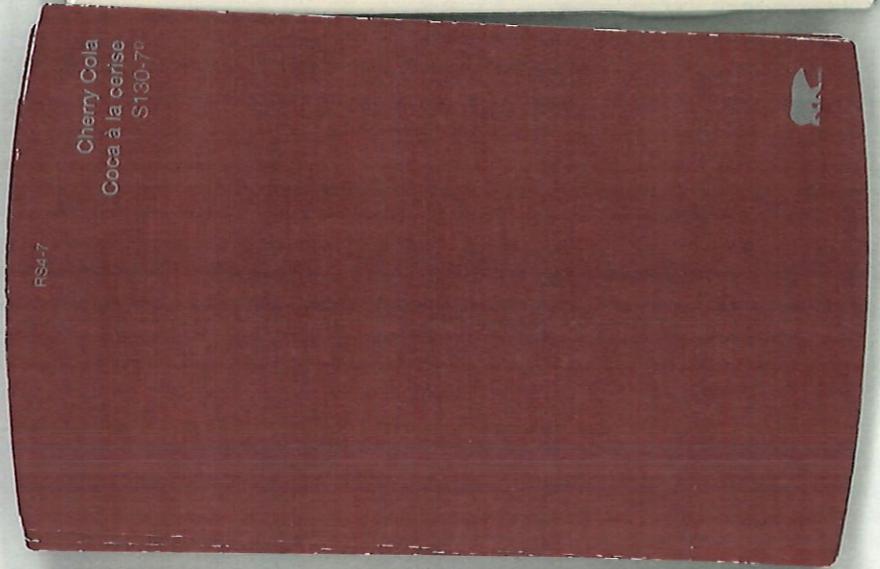
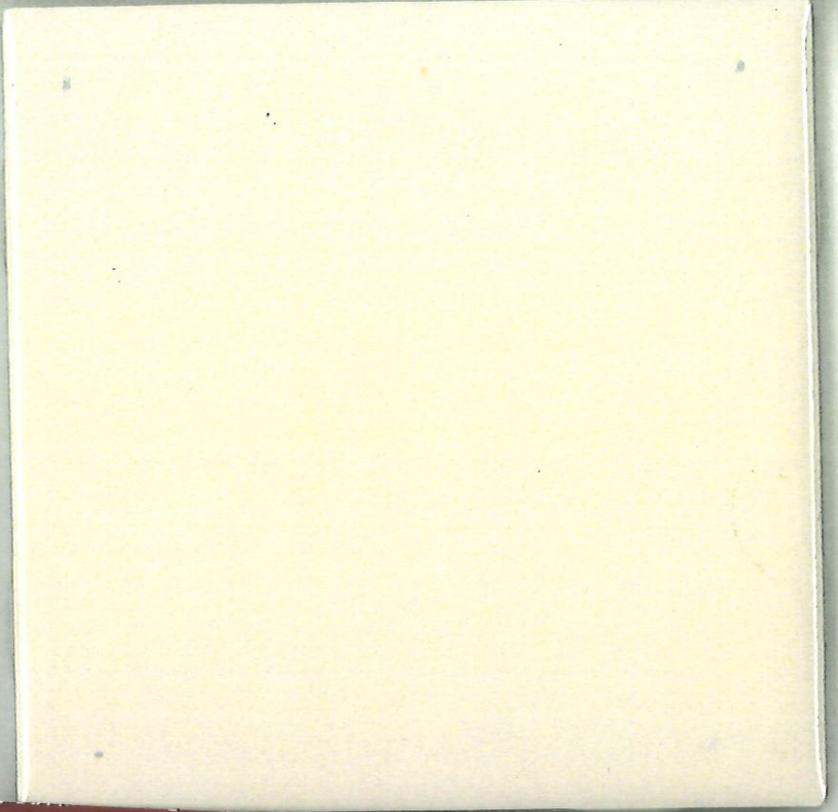


AWNING & PEAK - Cherry Cola  
DETAIL WORK BORDER & CIRCLES - CHERRY COLA  
FACIA BOARDS, UPPER WALL & DOOR & WINDOW TRIM -  
Dainty Lace  
Main Tile - Black gloss 3" x 5" with 4 x 4"  
"Dainty lace" matching gloss tile

TILE →



TILE ↓





## 516 FIRST AVENUE BUILDING 516 FIRST AVENUE

Added to Register: 2014

### Description of Historic Place

The 516 First Avenue Building is a modest, two-storey commercial building on the west side of the main commercial street in Ladysmith, British Columbia. The historic place is confined to the building footprint.

### Heritage Value

The 516 First Avenue Building's primary significance is as part of a grouping of largely intact historic buildings in Ladysmith's commercial core. Situated at the northern end of the main commercial thoroughfare in Ladysmith, the building forms part of an almost continuous city block of similarly proportioned historic buildings that collectively create a cohesive streetscape.

Built around 1909, the 516 First Avenue Building has been substantially renovated and many of its original features changed or obscured. The building's simple form, two-storey height and Boomtown style front are intact and are in keeping with the rest of the buildings on this city block.

Associated with Ladysmith's earliest development, the 516 First Avenue Building has been in continuous commercial use for over a century and is a significant contributor to the heritage character of the area.

### Character-Defining Elements

The character-defining elements of the 516 First Avenue Building include:

- the building's location within a large grouping of heritage buildings on the main commercial street
- the building's simple form and two-storey height
- the building's boomtown-style front and large windows at the street level
- the building's continuous commercial use for over a century

## CPAC REFERRAL REPORT

**Report Prepared By:** Julie Thompson, Planner  
**Meeting Date:** September 1, 2021  
**File No:** ZBL 3360-21-03  
**Re:** Zoning Bylaw Amendment Application – Lot B Russell Road

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### Executive Summary:

A zoning bylaw amendment application has been received to rezone a 0.747 ha portion of a 0.814 ha parcel of land on Russell Road (Lot B) from Single Dwelling Residential (R-1) to Single Dwelling Residential – Small Lot A (R-1-A) for the purpose of subdivision. The Community Planning Advisory Committee (CPAC) is being asked to provide feedback regarding the application in accordance with the CPAC Terms of Reference.



Figure 1: Subject property map.

### Introduction/Background:

The subject property (Lot B) is 0.814 ha in size and is located on Russell Road, in a predominantly single-family residential neighbourhood. The property is partially treed, as shown on Figure 1. A subdivision in 2020 separated a 772.6m<sup>2</sup> parcel containing a house from the parent parcel with Lot B (the subject property) as the remainder. The applicant is proposing to create an 11 parcel subdivision on the subject property and has applied to rezone a 0.747ha portion from R-1 to R-1-A to create 10 smaller parcels while the 11<sup>th</sup>

parcel (fronting on Russell Road) would remain in the existing R-1 zone. It is noted that surrounding zoning consists mainly of R-1 and R-1-A parcels, as shown in Figure 2, below. The applicant has provided the following documents to support the rezoning application:

- Cover letter
- Proposed subdivision site plan
- Preliminary civil engineering design (for previous subdivision proposal under R-1 zoning)

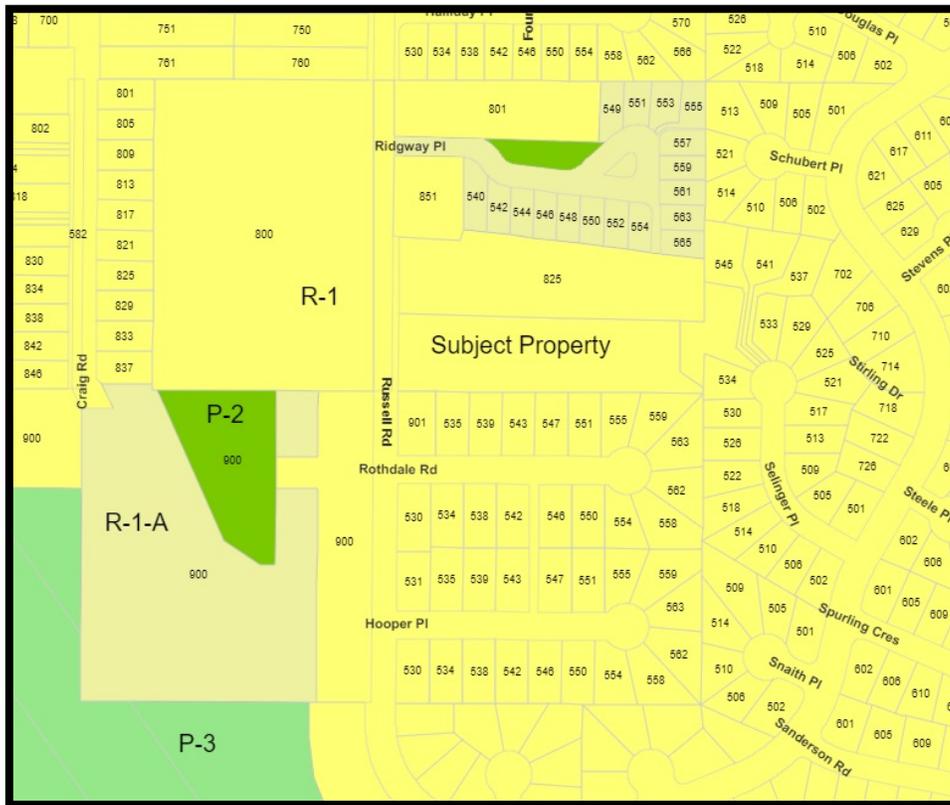


Figure 2: Surrounding zoning map

### **Official Community Plan (OCP)**

The subject property is located in the Single Family Residential land use designation in Official Community Plan No. 1488. The Single Family Residential designation supports a maximum density of 10 units per hectare for single family development and 25 units per hectare for small lot single family development. The density of the proposed R-1-A area is 13.4 units per hectare.

The following OCP policies are also relevant to the proposal:

- 3.1.4(1) - Direct growth to lands within the Urban Containment Boundary (the subject property is within the boundary).
- 3.1.4(2) - future residential growth will occur in five general areas, including South Ladysmith (the subject property is located in South Ladysmith).
- 3.1.4(3) - The Town will encourage residential infill where vacant lots exist.

- 3.1.4(9) – to reduce land consumption, increased residential densities, such as compact lots, will be promoted at appropriate locations.
- 3.1.4(17) – the approval of infill or new subdivisions shall consider potential impacts on existing neighbours of the proposed development and new residents or users of the development.

The development is consistent with the Single Family Residential designation and is consistent with the OCP policies noted above. An OCP amendment is not required.

**Zoning Bylaw:**

The subject property is zoned R-1 in Zoning Bylaw No. 1860. The R-1 zone has a minimum parcel size of 668m<sup>2</sup> for the creation of new parcels. The applicant is proposing to rezone a 0.747ha portion of the subject property to R-1-A, which has a minimum parcel size of 460m<sup>2</sup>, in order to create a 10 parcel subdivision. The current R-1 zone would yield 8 parcels in the same area. The 668.2m<sup>2</sup> remainder of the subject property would create an 11<sup>th</sup> parcel and is not proposed to be rezoned. The proposed 10 parcel subdivision (see attached) would comply with the proposed R-1-A zone and the remainder parcel would comply with the existing R-1 zone.

A comparison of the existing R-1 and proposed R-1-A zone is provided in Table 1, below.

*Table 1: Zone comparison*

Regulation	R-1 (existing)	R-1-A (proposed)
Principal uses	Single Unit Dwelling	Single Unit Dwelling
Accessory uses	Secondary Suite Home Based Business Urban Agriculture Bed & Breakfast	Secondary Suite Home Based Business Urban Agriculture
Minimum parcel size	668m <sup>2</sup>	460m <sup>2</sup>
Minimum frontage	18.28m	13.5m
Minimum finished floor area	83m <sup>2</sup>	83m <sup>2</sup>
Maximum finished floor area	Lesser of 33% of parcel area or 240m <sup>2</sup>	175m <sup>2</sup>
Maximum parcel coverage	33%	33%
Maximum height	9m	8m
Maximum perimeter wall height	7.32m or 9.14m with articulation	N/A
Setbacks (from parcel line)		
Front	6m	4m
Interior or exterior side	3m	2m
Other interior side	1.5m	1.5
Rear	4.5m	3m

**Community Amenity Contribution Policy (CAC):**

The Town's CAC policy encourages rezoning applicants to contribute towards needed infrastructure and amenities as a way of ensuring that the proposed development is seen as making a positive contribution to the neighbourhood and community at large. The applicant is open to discussing a proposed CAC with staff and staff have suggested that a \$1000 contribution per each additional parcel created, for a total of \$2000, be provided to the Town's CAC fund which is in line with the Town's CAC policy.

**Interdepartmental Involvement/Implications:**

The application will be forwarded to Engineering, the Fire Chief and Building Inspection as part of the application process.

**Citizen/Public Relations Implications:**

As no OCP amendment is required, the applicant is not required to undertake a neighbourhood information meeting (NIM). However, if the application proceeds a public hearing and neighbourhood notification will be required in accordance with the *Local Government Act*.

**Attachments:**

- Applicant cover letter
- Proposed subdivision site plan

2021-April-22

Jake Belobaba  
Director, Development Services  
Town of Ladysmith  
132C Robert Street  
Ladysmith, BC, V9G 1A2

Dear Mr. Belobaba

**Re - Rezoning Application for Lot B, District 67, Plan EPP51928 except Plan EPP89399**

Further to our pre-application discussions with Ladysmith planning staff regarding the proposed rezoning of the above noted property, I am writing on behalf of the property owners, FMC Holdings Limited, to summarize the application.

Further to our discussions and review of the Town of Ladysmith's application forms and checklists, we have prepared an application package that includes the following;

Application form, checklist and fees  
Summary letter  
Proposed Subdivision Plan, Turner Surveying, Nanaimo  
Preliminary Civil Engineering Design, Herold Engineering, Nanaimo  
Previous PLA, C3320-15-04  
Site Profile  
Title Search  
Covenants, Right of Ways and Easements on Title  
BC Company Search

**Property Description**

This property is 0.81 ha (2.01 acres] and was previously addressed as 891 Russell Road. Lot 1, now addressed as 891 Russell Road, fronts on Russell Road, was subdivided off the property in 2020 and contains a house situated on the property. Adjacent to Lot 1 is Lot Rem. B, which also fronts on Russell Road. Neither Lot 1 or Rem. B are included in this rezoning application. Both Lot 1 and Rem. B are zoned Single Dwelling Residential (R-1).

The legal description of the property is Lot B, District Lot 67, Plan EPP51928 except plan EPP 89399. The PID is 029-799-031. The OCP designation for the property is neighborhood.

**Seward  
Developments  
Inc.**

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## **Current and Proposed Zoning**

The current zoning is single dwelling residential (R – 1] which allows a parcel size of a minimum 668m<sup>2</sup> (7188 sq. ft.), with a minimum lot frontage of 18.28m (60.0 ft). Under the current zoning eight lots could be created.

The owners are making application to rezone the property to Single Dwelling Residential - Small Lot A Zone (R-1-A), which allows a parcel size of a minimum 460 m<sup>2</sup> (4950 sq. ft.), with a minimum lot frontage of 13.5 m (44.3 ft.). Under the proposed zoning, 10 lots could be created, as shown on the Turner Surveying plan.

The owner's rationale for making application for this rezoning is that a variety of lot sizes would be created (from 480 m<sup>2</sup> to 728 m<sup>2</sup>, averaging 565 m<sup>2</sup>) allowing for two additional lots to be constructed off the partial cul-de-sac entrance road that would provide access to the lots. Given the smaller lot sizes, smaller and less expensive houses could be constructed on the lots. If the property to the north is developed in the future, a full cul-de-sac would be constructed, possibly including similar sized lots that are proposed in this application.

## **Neighbourhood Consultation Process**

Following submission of this rezoning application, the applicant will work with Town of Ladysmith staff to determine how best to communicate with neighbourhood residents regarding this proposed rezoning. Given the health and safety concerns regarding COVID-19, various options may be used to seek feedback from the neighbourhood, including;

- 1.) Neighbourhood information Meeting (NIM) - This meeting could either be held on site or in a larger venue in Ladysmith, that would allow for social distancing and associated health and safety requirements.
- 2.) Written Correspondence - For people who do not wish to or cannot attend the NIM, written correspondence will be sent to area residents seeking their feedback regarding the proposed rezoning
- 3.) Zoom meeting – A online meeting could be arranged, to allow neighbourhood residents to provide input regarding the proposed rezoning.

## **Preliminary Engineering Design**

The preliminary civil engineering design by Herold Engineering was prepared for the previous two lot of subdivision (File #3220-15-04] and included the design for the frontage works on Russell Road, the stormwater management plan and the proposed servicing. The engineering design is included in this application package.

**Seward  
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If the proposed rezoning is successful, the increased lot yield would be two lots (from the current allowable 8 lots, to the proposed 10 lots). The owner will discuss a proposed community amenity contribution with Ladysmith staff and determine if an amenity could be provided in the area, that would benefit the local neighbourhood.

Please advise if further information is required to support this rezoning application.

Yours truly

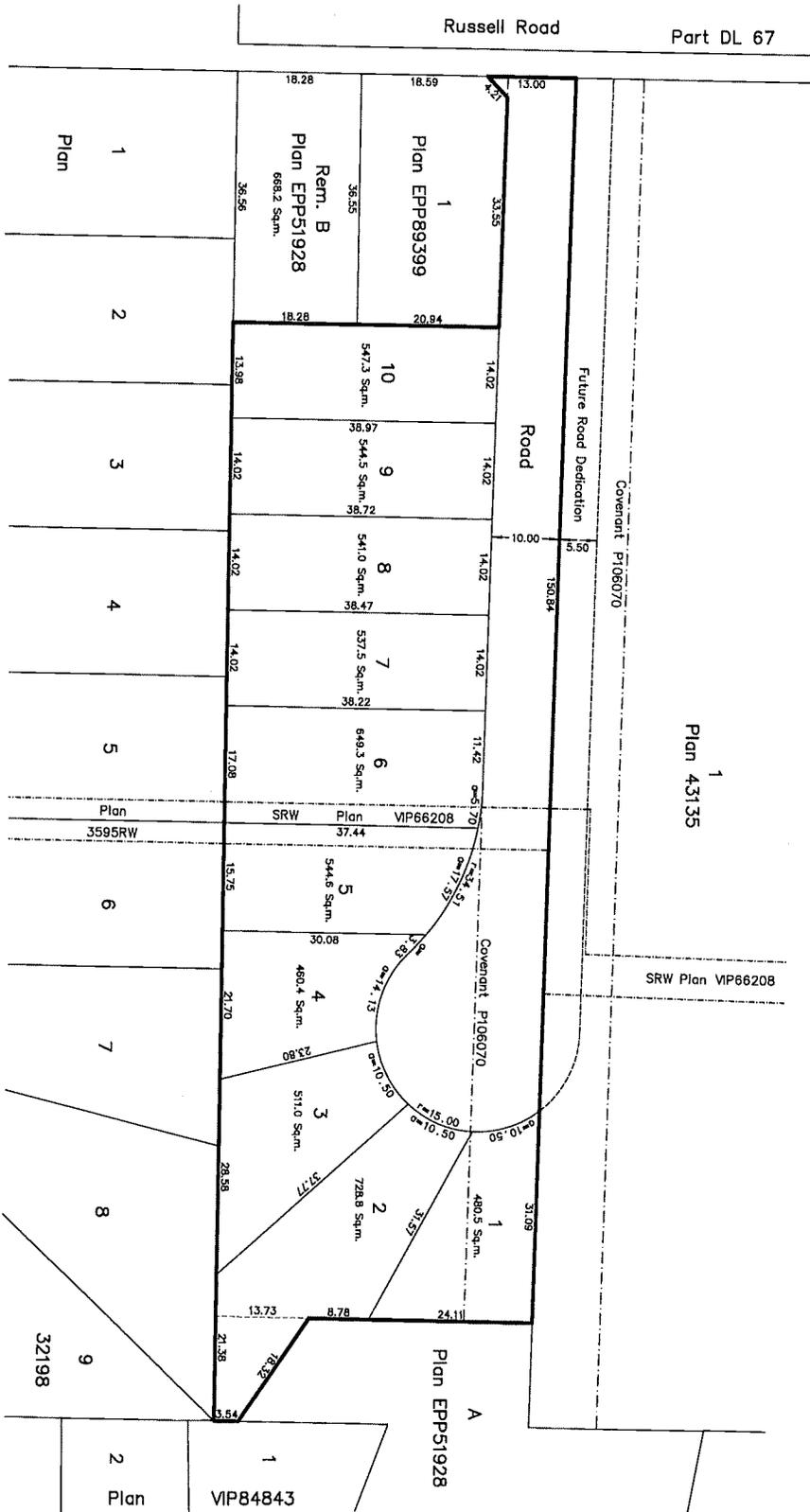


Toby Seward  
Seward Developments Inc

ec FMC Holdings Ltd

**Seward  
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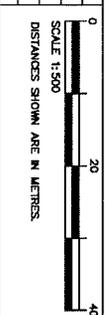
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PLAN SHOWING PROPOSED SUBDIVISION OF PART OF:  
 LOT B, DISTRICT LOT 67, OYSTER DISTRICT, PLAN EPP51928,  
 EXCEPT PLAN EPP89399.

Drawn by: DMC  
 Date: January 8, 2021  
 Scale: 1:500  
 Date: January 8, 2021

DATE	REVISION
January 8, 2021	Final Issue



SITE SUMMARY  
 CURRENT ZONING: R1  
 PROPOSED ZONING: R-1-A  
 TOTAL SITE AREA: 0.747 ha

Turner & Associates  
 Land Surveying  
 435 Terminal Avenue North  
 Nanaimo, BC V8S 4A8  
 www.turnersurvey.ca