AGENDA



Community Planning Advisory Committee

Wednesday, December 1, 2021 at 7:00 p.m. This meeting will be held electronically

<u>Mandate</u>: 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. CALL TO ORDER AND 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.
- 1.1 INFORMATION ON HOW TO VIEW/ATTEND THE MEETING

Residents are encouraged to "virtually" attend the meeting using the meeting link below: https://zoom.us/j/96203777948?pwd=UU1kYnBydDJLTks4RUIseEh2Ny9SQT09

For those unable to attend by electronic means, the meeting will be broadcast in the City Hall Council Chambers at 410 Esplanade. Masks are mandatory and seating is limited.

- 2. AGENDA APPROVAL (7:00pm)
- 3. ADOPTION OF OCTOBER 6, 2021 MINUTES* (7:05pm)
- 4. NEW BUSINESS
- 5. COUNCIL REFERRALS (7:10pm)
 - a. <u>OCP & Zoning Bylaw amendment application 3360-20-06*</u> <u>10940 Westdowne Road (Town & Country Mobile Home Park)</u> (20 minutes)
 - b. <u>OCP & Zoning Bylaw amendment application 3360-21-09*</u> <u>1134 Trans Canada Highway</u> (20 minutes)
 - c. <u>Zoning Bylaw Amendment application 3360-21-11*</u> <u>631 1st Avenue (Winter Shelter)</u> (20 minutes)
- 6. MONTHLY BRIEFING (8:10pm) File Updates
- 7. NEXT MEETING TBD
- 8. ADJOURNMENT (8:15pm)

*Attachments





MINUTES Community Planning Advisory Committee

Wednesday, October 6, 2021 at 7:00 p.m. Council Chambers, City Hall

PRESENT: Chair – Jason Harrison; Members – Brian Childs, Abbas Farahbakhsh, Jason Robertson; Council Liaison – Tricia McKay; Senior Planner & Recorder – Christina Hovey; Planner – Julie Thompson
ABSENT: Members – Jennifer Sibbald, Steve Frankel, Tamara Hutchinson
GUESTS: Applicant – Darren Isaac (3360-21-03 & 3060-21-16); and Applicants – Toby Seward and Mike Crucil (3360-20-10)

The meeting was called to order at 7:06pm, acknowledging with gratitude that Ladysmith is located on the traditional unceded territories of the Stz'uminus People.

1. AGENDA APPROVAL

It was moved, seconded and carried that the Agenda of October 6, 2021 be approved as amended.

2. ADOPTION OF MINUTES

It was moved, seconded and carried that the Minutes of September 1, 2021 be approved.

3. COUNCIL REFERRALS

a. <u>Zoning Bylaw Amendment application 3360-21-10 and Development Permit</u> <u>application 3060-21-16 - 4311st Avenue</u>

Staff provided a brief introduction. The builder explained the details of the proposed renovations, including information about the interior stairway. CPAC members discussed the proposed building renovations and expressed their support.

It was moved, seconded and carried that CPAC recommend that Zoning Amendment Application 3360-21-10 and Development Permit Application 3060-21-16 for 431 1st Avenue be approved.

b. <u>Official Community Plan & Zoning Bylaw Amendment application 3360-20-10</u> <u>– 1301 & 1391 Rocky Creek Road</u>

Staff briefly introduced the proposal. The applicant provided a presentation including some background on the property and other developments they have done in the Town. The applicant described the tree preservation proposal and the proposed development. The proposed development consists of three types of residential uses and some commercial. The applicant has hosted two neighbourhood information meetings, the neighbours have expressed concerns about the proposed height of the multi-dwelling residential buildings, traffic, and tree preservation.



CPAC asked a number of questions of the applicant who provided the following additional information:

- The multi-unit buildings are proposed to contain 24-30 units each and be up to six storeys high. For the mixed-use buildings the first storey would be commercial with residential units above.
- They are required to provide 20m of public access to the waterfront.
- Anticipated tenure:
 - The single dwelling parcels would be freehold.
 - Most of the multi-family will be stratified.
 - Possibility for purpose built rental units depending on market conditions.

Staff clarified that the proposed amendment to the OCP would add the property to the Commercial and Multi-Unit Residential Development Permit Areas to address form and character.

CPAC also had a discussion and provided comments on the proposal:

- Considering the remoteness of the site, the site may be considered as a "satellite" community:
 - A neighbourhood park should be provided so families do not need to drive to access a park.
 - Concern about developing a "car oriented" community where people do not have access to services as is the case for South Ladysmith.
- Discussion on proximity of the mill. Some members felt the proposed residential uses were not appropriate given to the location. Some members noted that there are other municipalities where industrial and residential uses co-exist along the waterfront. The noise of the mill can be considered as part of the culture of a "working harbour".
- In addition to tree preservation, rain water management and landscaping will be important.

It was moved, seconded and carried that the Community Planning Advisory Committee supports OCP and Zoning Amendment Application 3360-20-10 (1301 & 1391 Rocky Creek Road) in principle and recommends that development be subject to the following conditions:

- Provision of a recreational park for families.
- Assurance that commercial space will be provided.
- Assurance of a high standard of form and character.
- Assurance that tree preservation be maximized.

It was moved, seconded and carried that the Community Planning Advisory Committee requests that Council consider referring the application for 1301 & 1391 Rocky Creek Road back to CPAC at the Development Permit stage to review form and character.

4. NEW BUSINESS

a. <u>Review of updated CPAC Terms of Reference</u>

On September 21, 2021 Council approved an amendment to the CPAC Terms of Reference which allows CPAC meetings to be held in locations other than Council Chambers with proper notice. The Town is looking into options for larger venues and electronic meetings may also be an option in specific circumstances.

b. COVID Meeting Protocols

The question was raised as to whether in-person meetings are the most appropriate option, given the ongoing risk from COVID-19 and given that CPAC is made up of volunteers. The members expressed a preference for in-person meetings if possible. Council and Town Staff are working on an amendment to the Council Procedures Bylaw which would allow for electronic meetings.

Going forward, staff will add a note to the CPAC meeting invitation asking members to reach out privately regarding their comfort with the "in-person" meeting. Staff will provide an opportunity for members to practice calling in to the meeting via teleconference prior to the next meeting.

5. MONTHLY BRIEFING

File Updates:

The following files that CPAC previously reviewed have been approved by Council:

- 670 Farrell Road & Lot 20 Trans-Canada Highway (File No. 3360-19-02)
- 630 Farrell Road (File No. 3360-20-05)

CPAC members are invited to review the Council Agendas and Minutes or contact staff for further details.

6. NEXT MEETING – TBD

7. ADJOURNMENT

It was moved, seconded and carried that the meeting be adjourned at 8:34 pm.

Chair (J. Harrison)

RECEIVED:

Corporate Officer (D. Smith)

CPAC REFERRAL REPORT

Report Prepared By:	Christina Hovey, MCIP, RPP, Senior Planner
Date:	November 22, 2021
File No:	3360-20-06
Re:	OCP and Zoning Amendment for 10940 Westdowne Road
	(Town and Country Mobile Home Park)

EXECUTIVE SUMMARY:

The proposed development is to amend the Official Community Plan (OCP) and Zoning Bylaw so that 10940 Westdowne Road can be added to the adjacent manufactured home park (Town and Country Mobile Home Park) at 10980 Westdowne Road. This application would allow for a small expansion to the manufactured home park in the future, provided the park is able to connect to municipal sewer services.

INTRODUCTION/BACKGROUND:

The subject property, 10940 Westdowne Road, is an approximately 0.2ha property that currently contains an existing house, detached garage and shed. The subject property is





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located at the southeastern corner of the Town and Country Mobile Home Park. The adjacent property on the other side (to the south) has a small industrial area along Westdowne Road, with a rural residential use behind. The Town and Country Mobile Home Park is located at 10980 Westdowne Road, is approximately 5.2ha in size and covers two legal parcels (approximately 4.2ha and 1ha in size). The manufactured home park consists of 91¹ manufactured homes as well as recreational and storage facilities for residents.

The applicant is proposing to amend the OCP and Zoning Bylaw for 10940 Westdowne Road so that the property can be added to the existing Mobile Home Park designation and Manufactured Home Park zone. The proposed expansion would increase the size of the manufactured home park from approximately 5.2ha to 5.4ha.

	Existing	Proposed
Official Community Plan	Single Family	Mobile Home Park Residential
Designation	Residential	
South Ladysmith Area Plan	Residential	Mobile Home Park Residential
Designation		
Development Permit Area(s)	None	None
Zone	Rural Residential (RU-1)	Manufactured Home Park (MHP-
		1)

The existing and proposed designations/zoning are as follows:

In the short-term, the subject property is proposed to remain as a single-detached dwelling and to be used as an office for the manufactured home park. In the longer term, the property may be used to add additional manufactured home spaces to the park.

DISCUSSION:

Official Community Plan:

The subject property is designated Single Family Residential in the OCP. The OCP states that "new mobile home parks are supported as an affordable housing option" (section 3.2.3(26)). At the time of writing the OCP in the early 2000s, housing affordability was identified as an important consideration for managing growth. "In 2001, housing costs in Ladysmith averaged \$145,385 (c.f. BC average of \$230, 654)" (section 1.10). In 2019, the average price of a detached home in Ladysmith was \$470, 640, and 19% of Ladysmith households were spending more than 30% of their income on housing (CVRD Regional Housing Needs Assessment, 2020).

The subject property is within the South Ladysmith Area Plan. The South Ladysmith Area Plan recognizes the existing manufactured home park and suggests a maximum density of 15 units per hectare. The existing density of the manufactured home park is approximately 17.5 units per hectare (if the subject property is added the density would be approximately 17 units per hectare). However, the OCP allows for up to 20 units per hectare (as does the

¹ As shown in the aerial imagery.

zoning). If this application proceeds, staff can include an amendment to the South Ladysmith Area Plan to align the density with the density designation in the main OCP.

Zoning Bylaw No. 1860:

In addition to permitted uses, density and siting provisions, the proposed Manufactured Home Park Zone (MHP-1) requires that manufactured home parks provide amenities such as recreational space and storage. The MHP-1 zone permits a density of up to 20 units per hectare. This could allow for up to four additional units on the 0.2ha subject property.

The Zoning Bylaw requires that:

"Except as otherwise provided in this Bylaw, all Uses permitted by this Bylaw are only permitted if the Use is connected to the Town of Ladysmith community water system and the community sanitary sewer system."

If this application proceeds, the zoning amendment may need to include a site-specific provision to allow on-site servicing on the property for the proposed use (office for the park).

Existing Servicing Challenges:

The manufactured home park has been in operation since 1970 and has 91 units. The park is connected to a water service operated by the Cowichan Valley Regional District (CVRD) and uses an on-site sewer service (septic field). As of 2019, the existing on-site sewer system was operational, but there were concerns that ongoing maintenance and the general age of the facilities would result in the system becoming inefficient to maintain.

In 2019-2020, the Town and the property owner collaborated on a study investigating options to connect to the Town sanitary sewer system. The study provided high-level options for how the property could be connected to the Town's sewer system. Unless initiated by the manufactured home park, the connection to the Town's sewer system is not anticipated in the short-term.

Staff will not support the application to expand the manufactured home park if it would strain the available water and on-site sewerage treatment services. If the rezoning proceeds, staff would recommend that a covenant be placed on the property prohibiting adding any new spaces for manufactured homes until the property is connected to the municipal sewer system.

CPAC REFERRAL:

This application is being referred to the Community Planning Advisory Committee for comment in accordance with the committee's Terms of Reference and the Town's Development Procedures Bylaw. CPAC's Terms of Reference provides the following principles for reviewing OCP and Zoning Bylaw Applications:

• Refer to the Official Community Plan and Council's strategic priorities in the review of the proposal.

- Hear from the applicant and its consulting team through a brief presentation to summarize the proposal.
- Consider each proposal on its own merits.
- Provide its advice to Council in the form of a motion.

CPAC REFERRAL REPORT

Report Prepared By:	Christina Hovey, MCIP, RPP, Senior Planner
Date:	November 22, 2021
File No:	3360-21-09
Re:	OCP and Zoning Amendment for 1134 Trans Canada Hwy

EXECUTIVE SUMMARY:

The proposed application is to amend the Official Community Plan (OCP) and Zoning Bylaw to be Local Commercial to allow for an office use in the existing building at 1134 Trans Canada Highway. The existing OCP designation on the subject property is multi-family residential and the zone is Old Town Residential (R-2).

Note that in 2019, the Town received another zoning application for this property. At the time the applicant was proposing a daycare or karate school on the property. The property has since been sold and the new owner is proposing to use the property for an office for a construction company (Dave Stalker Excavating Ltd.).



Figure 1: Existing Building 1134 Trans Canada Highway



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INTRODUCTION/BACKGROUND:

1134 Trans Canada Highway is approximately 1,380m² in size and has road frontage on Second Avenue and onto the Trans Canada Highway. The property contains a vacant building and two level parking areas large enough for at least 8 spaces. The existing building was built in 1965 (according to BC Assessment).

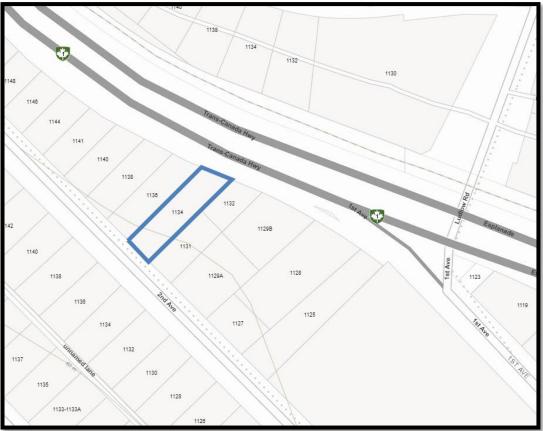


Figure 2: 1134 Trans Canada Highway

The applicant is proposing to use the vacant building as an office, accordingly they are requesting that the OCP and zoning be changed to allow for a local commercial use. The company is a construction company but the applicant has indicated that they will maintain a separate property for storage of equipment etc., and that the use of this property would be for an office only. A construction yard would not be permitted in the Local Commercial zone. A building permit would be required to allow for the change of use of the building to an office. Site specific provisions for the zoning bylaw would be needed due to the size of the vacant building.

The existing and proposed designations/zoning are listed in Table 1.

	Existing	Proposed
Official Community Plan	Multi-Family	Local Commercial
Designation	Residential	
Development Permit Area(s)	Multi-Unit Residential -	Commercial – DPA 3
	DPA 4	
Zone	Old Town Residential	Local Commercial (C-1)
	(R-2)	

Table 1: Existing and Proposed designations/zoning

DISCUSSION: Official Community Plan:

The subject property is designated "Multi-Family Residential" in the OCP. Several properties in the area between Second Avenue and the Trans Canada Highway are designated Multi-Family Residential and have been developed as townhouses. The OCP supports Multi-Family being located near local commercial services, although in this case the proposed use of the property will not provide a direct service to the neighbouring residents.

The Local Commercial designation limits the size of a commercial use to 200m², since the existing building is over 200m² this would need to be amended.

Zoning Bylaw:

The property is zoned "Old Town Residential" (R-2) which allows for single and two unit residential buildings. The applicant is requesting that the zoning be changed to "Local Commercial" (C-1) to allow for the existing building to be used as an office.

The Local Commercial zone limits the size of a commercial use to $100m^2$, the existing building is $232m^2$ so a site specific provision would be needed to allow the larger size.

The Local Commercial zone permits a range of uses including some uses that can generate higher volumes of traffic, these uses might not be appropriate for this property given road access considerations (see below). The permitted uses in the Local Commercial zone and the potential recommended limitations for the subject property are listed in Table 2.

	Recommendation for 1134 Trans Canada Highway	
Uses Permitted in the C-1 zone	Permit	Do Not Permit
Single Unit Dwelling	X	
Convenience Store		X
Restaurant		X
Coffee Shop		X
Personal Service Establishment	X	
Office	X	
Artist Studio	X	

Table 2: Proposed Uses to be Permitted on Subject Property

Road Access:

This application will be referred to the Ministry of Transportation and Infrastructure (MoTI). In response to a previous application for this property, the Ministry stated that they would prefer that the property be accessed from Second Avenue and that no access to the Trans Canada Highway will be supported.

To minimize transportation concerns, staff would recommend that the permitted uses on the property be limited to uses that generate a lower number of vehicle trips (e.g. no restaurant or coffee shop).

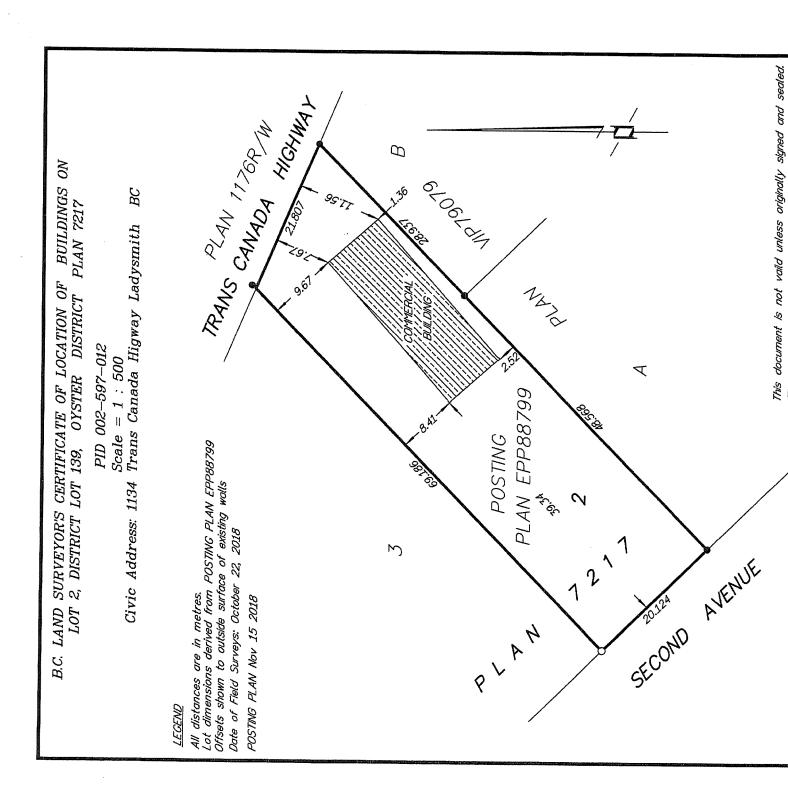
CPAC REFERRAL:

This application is being referred to the Community Planning Advisory Committee for comment in accordance with the committee's Terms of Reference and the Town's Development Procedures Bylaw. CPAC's Terms of Reference provides the following principles for reviewing OCP and Zoning Bylaw Applications:

- Refer to the Official Community Plan and Council's strategic priorities in the review of the proposal.
- Hear from the applicant and its consulting team through a brief presentation to summarize the proposal.
- Consider each proposal on its own merits.
- Provide its advice to Council in the form of a motion.

ATTACHMENT:

A. Site Plan



CPAC REFERRAL REPORT

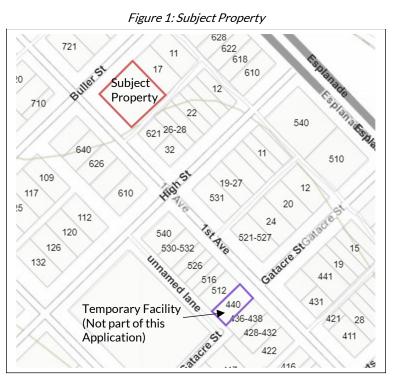
Report Prepared By: Meeting Date: File No: Re: Jake Belobaba, Director of Development Services December 1, 2021 3360-21-11 **Application to Rezone the Winter Shelter at 631 1st Avenue**

EXECUTIVE SUMMARY:

BC Housing has submitted an application to rezone the "Winter Shelter" located on the corner of Buller Street and 1st Avenue (631 1st Avenue). The proposed rezoning would allow the facility to remain in operation on a 24/7, year-round basis. Internal renovations to the building are proposed. The facility will be expanded into two vacant, ground floor units fronting Buller Street. The proposed capacity of the facility will remain at 10 people. A larger facility is needed to meet COVID-19 social distancing protocols and increasing demand for shelter space.

BACKGROUND:

A Temporary Use Permit (TUP) for an "extreme weather shelter" was issued for the subject property in August of 2016. The TUP limited the operation of the facility to nights where weather conditions would threaten the safety of the homeless. Another TUP was issued in December of 2018, allowing the facility to operate during the evening from November 1st to March 31st, regardless of weather conditions. The facility is operated on behalf of BC Housing by the Ladysmith Resources Centre Association (LRCA) and provides and support beds services (showers, laundry, meals etc.) for a up to 10 people. Services are available to both men and women.







The facility was shut down at the start of the pandemic due to its cramped quarters. Alternative facilities were first provided from a tenting site across the street, then later from a temporary facility at the Islander Hotel (440 1st Street). The TUP for the facility on the subject property was renewed by Council in March of this year but still only allows the facility to operate during evenings in the winter. The TUP for the facility at 440 1st Avenue will expire on March 31, 2022.

PROPOSAL:

BC Housing intends to expand the existing facility into two vacant, ground floor units fronting Buller Street (see building plans in Attachment A for reference). The expanded area will be used to create an additional sleeping area, allowing greater separation between the men's and women's sleeping areas, and greater social distancing. BC Housing is also willing to fund a 24/7 year round operation on the site. The capacity of the facility will remain at 10 people. Bylaw 2076 (Attachment B), which would permanently rezone the facility for 24/7, year round use, was presented to Council when BC Housing applied to renew the TUP in March. Council did not pass a motion to consider the bylaw, and instead passed a resolution to renew the TUP. With the forthcoming shut down of the alternate facility at 440 1st Avenue, BC Housing is looking to create a permanent year round facility in Ladysmith and has applied for a rezoning. Subsequently, Council can once again consider Bylaw 2076. Bylaw 2076 would allow 24/7, year-round operation of the site and is "site specific" meaning the subject property is the only location in Town that would allow this type of facility.

ATTACHMENTS:

- A. Application
- B. Bylaw 2076

As the only shelter in Ladysmith, LRCA in partnership with BC Housing is requesting to rezone the Rialto Manor to provide 24/7 shelter operations. A 24/7 shelter provides essential services to meet the clients' immediate needs for overnight accommodation, basic nutrition, and hygiene and works to support transition to permanent (second stage) housing. Currently, no less than five outreach groups are active within the shelter, providing everything from financial to health services and referrals to various support programs which may include detox/treatment. To continue receiving supports from the various agencies, a stable location and staffing model is required to ensure the continuity of support to the residents.

To date, there have been no complaints from Ladysmith residents or Downtown businesses concerning the shelter operation. Should any issues arise the LRCA Housing Manager, Aaron Hungar and his staff work with local service providers including the RCMP to address them in a timely manner.

AYPQ ARCHITECTURE

13270 Doole Road Ladysmith, British Columbia Canada V9G IG6 tel 250 245-7555 fax 7565 www.aypqarchitacture.com

Owner BC Housing Managing Commission Contact: Richard Dyble, Project Technologist – VI Region 201-3440 Douglas Street, Victoria, B.C. V8Z 3L5 P.250.978.2928 M.250.208.6575

Architectural AYPQ Architecture Contact: Angela Quek, Architect AIBC 13270 Doole Road, Ladysmith, BC V9G 1G6 P.250.245.7555 F.250.245.7565

Structural Herold Engineering Ltd. Contact: Robin Chapman, P.Eng 3701 Shenton Rd, Nanaimo, BC V9T 2H1 P.250) 751-8558

Mechanical Avalon Mechanical Consulting Ltd. Contact: Tim Robertson, P.Eng #4 – 4488 Wellington Road, Nanaimo, BC V9T 2H3 P.250.585.2180 F.250.384.4134

Electrical RB Engineering Ltd. Contact: Les Brown 1850 Northfield Rd, Nanaimo, BC V9S 3B3 P.250.756.4444

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16.09.21 Issued for CM Kinetic Construction 16.09.21 Issued for Building Permit 16.09.21 Issued for Development Permit 16.08.18 LRC Review

DRAWING LIST Architectural

A1 Existing

- A2 Site Plan A3 Floor Plan
- A4 Elevations
- A5 Details A6 HC Washroom
- A7 Washrooms
- Laundry-Kitchen-Misc A8
- A9 Cart Storage Shed A10 Schedules

Mechanical TBA

Electrical E1 Basement Level Proposed Electrical La

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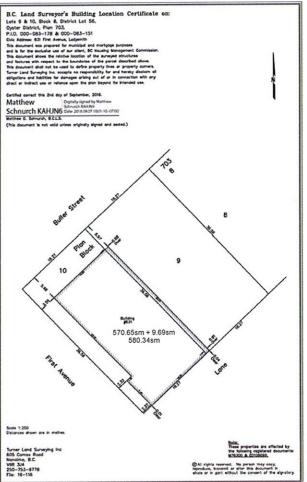
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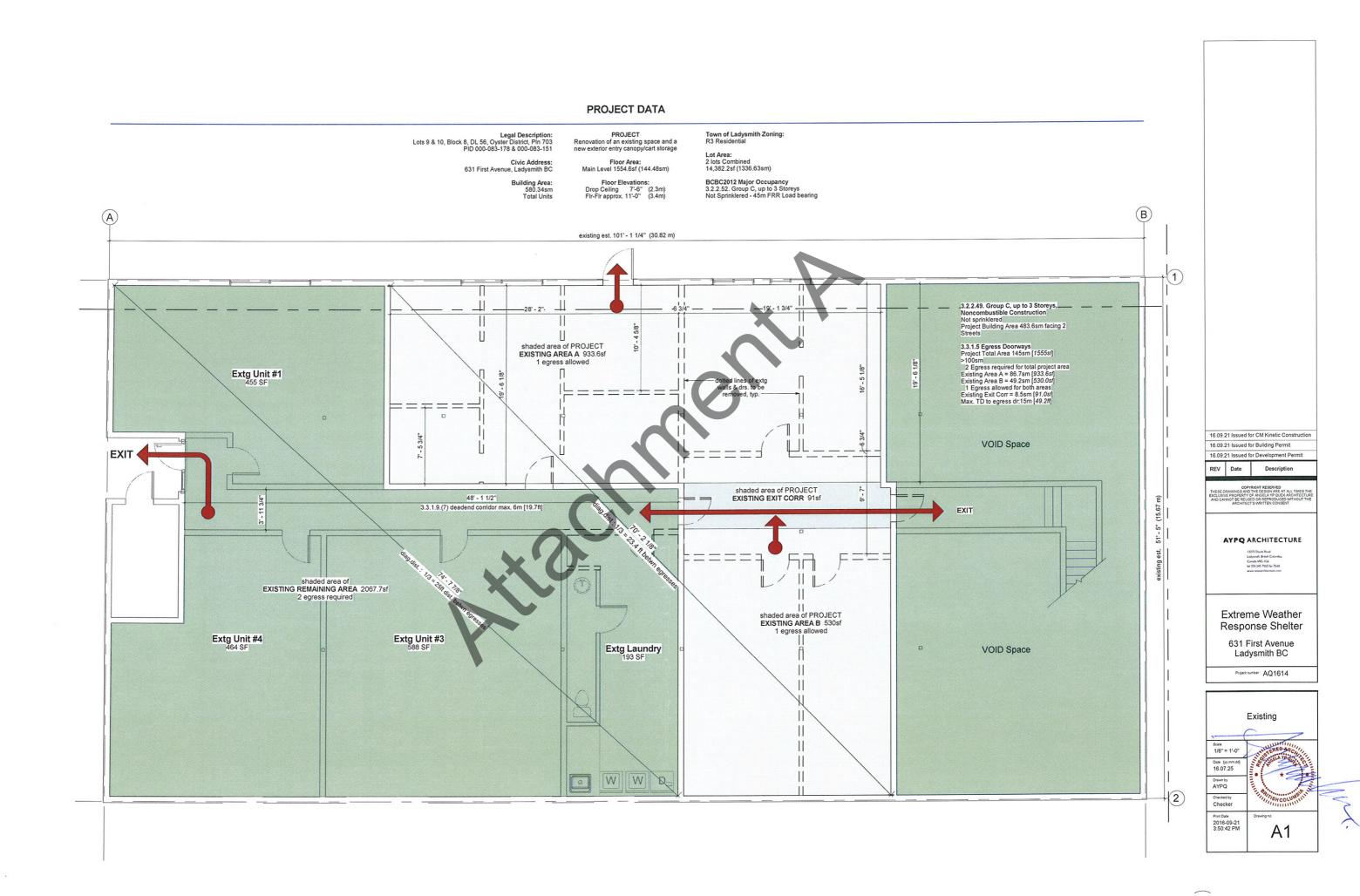
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Extreme Weather Response Shelter

BC Housing Managing Commission 631 First Avenue, Ladysmith BC

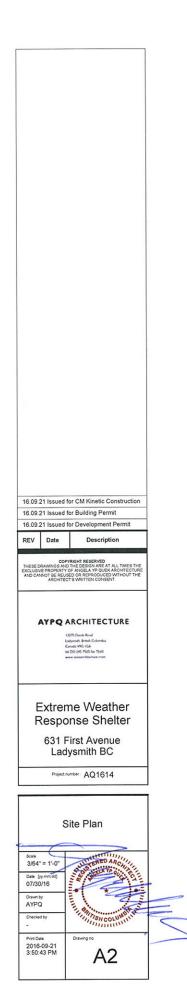


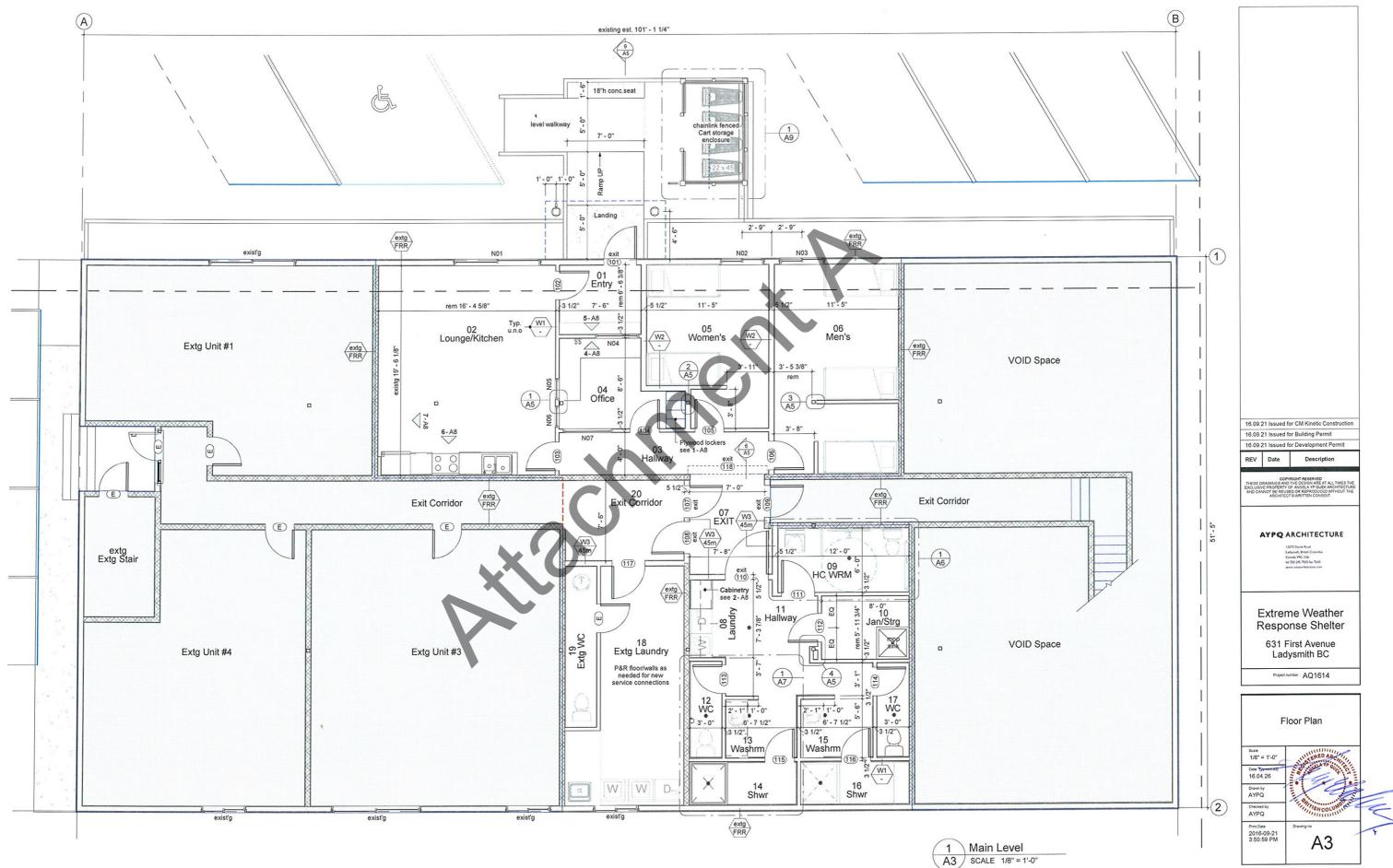


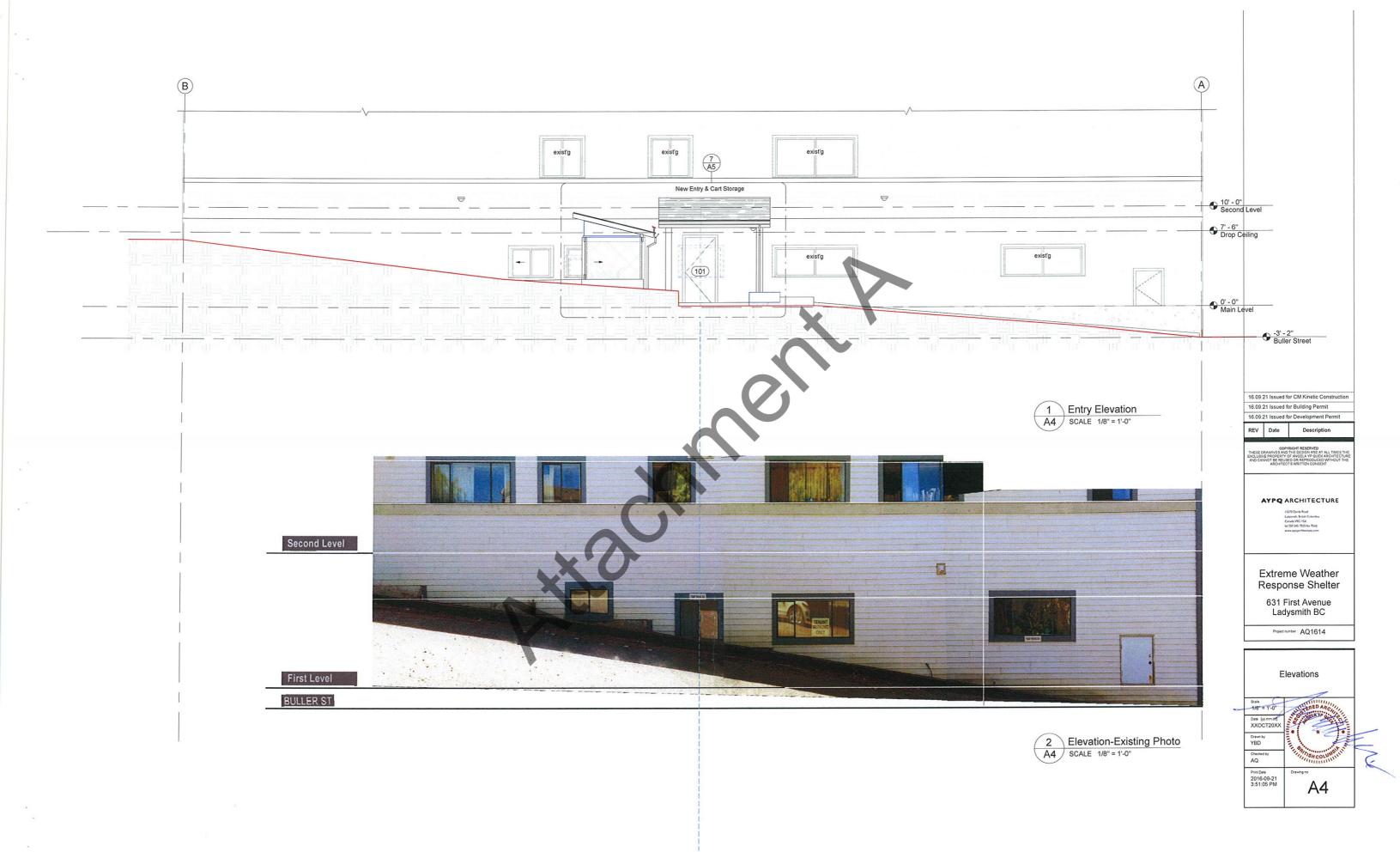


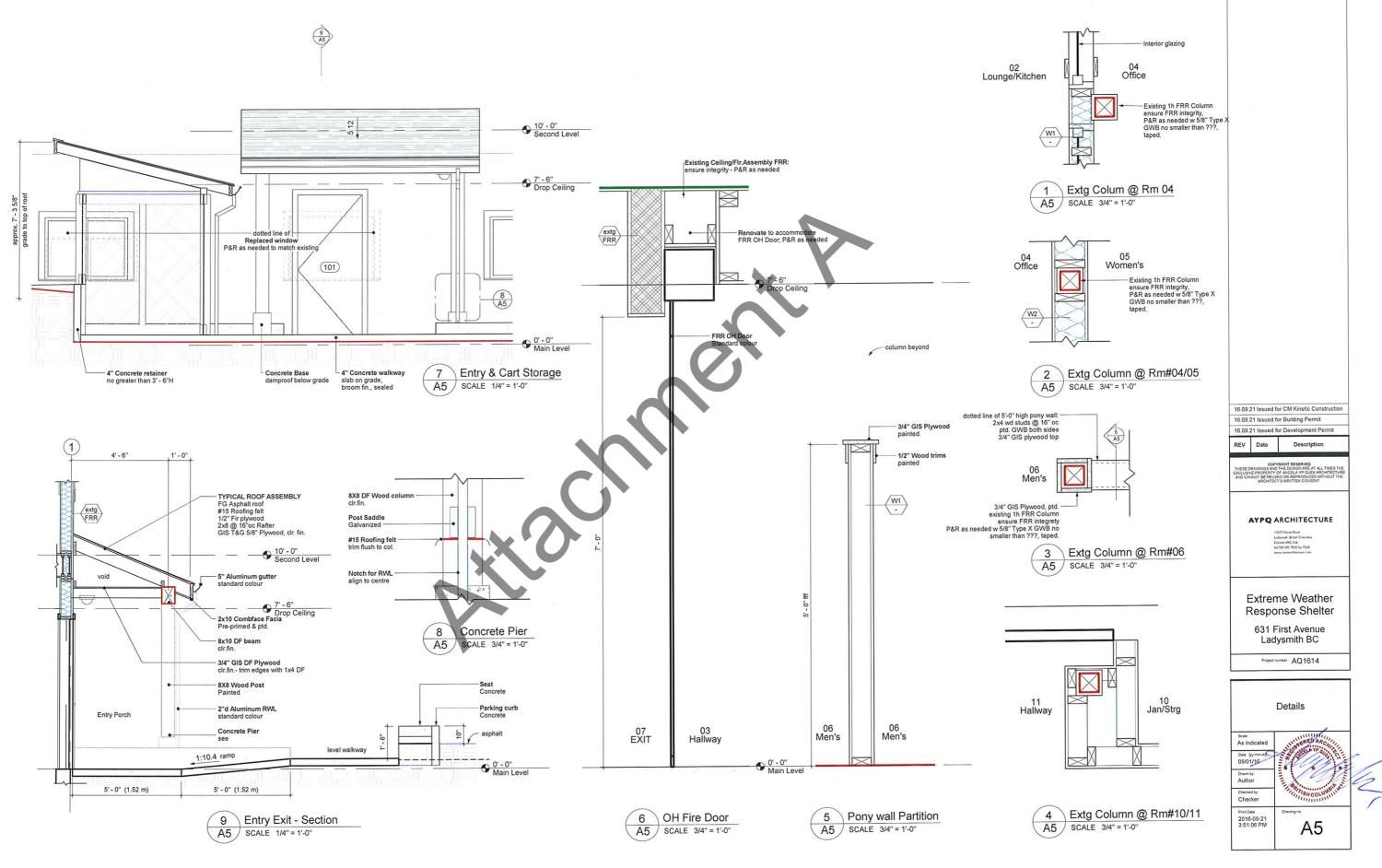
BULLER STREET

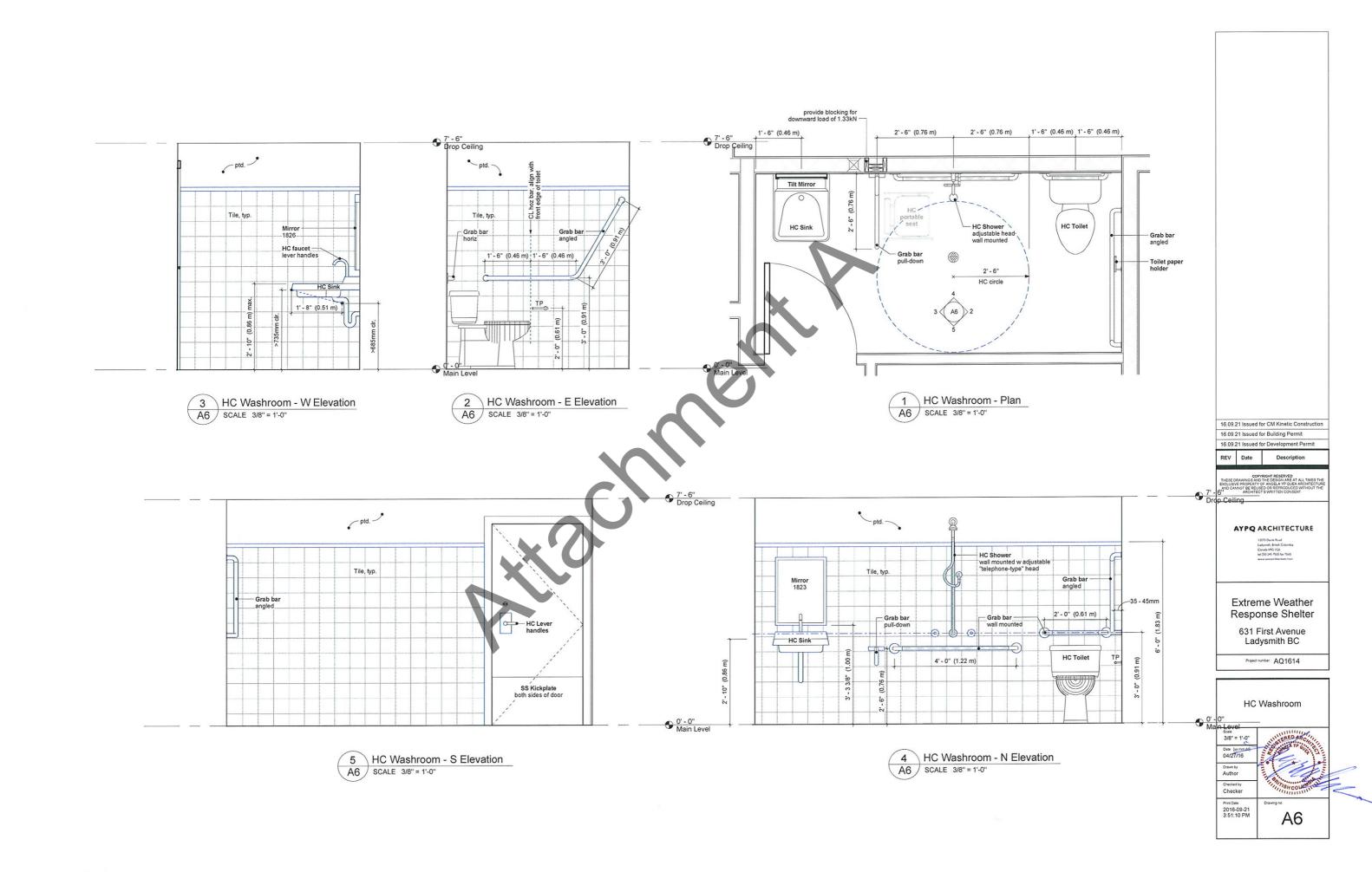
FIRST AVENUE



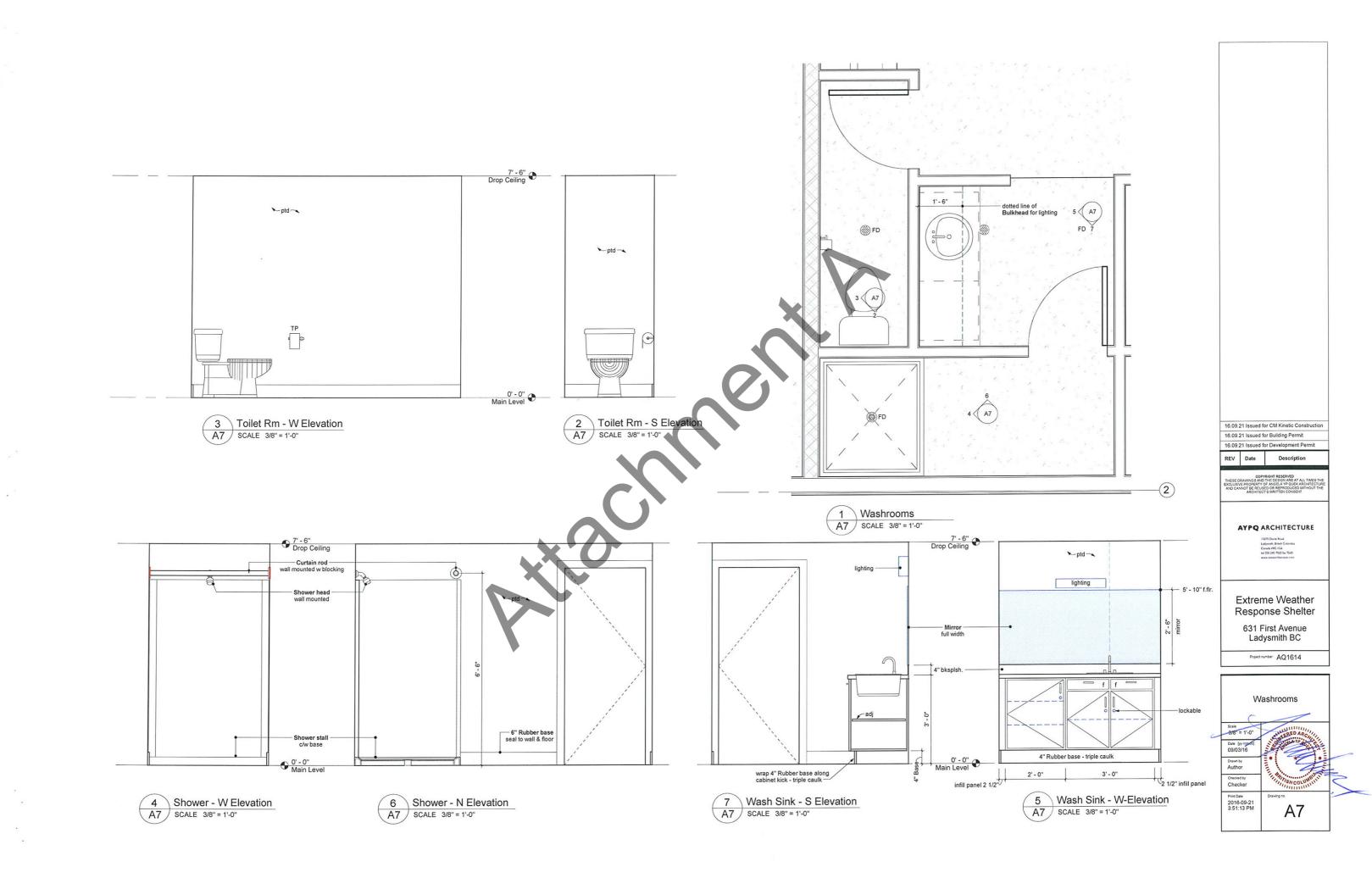


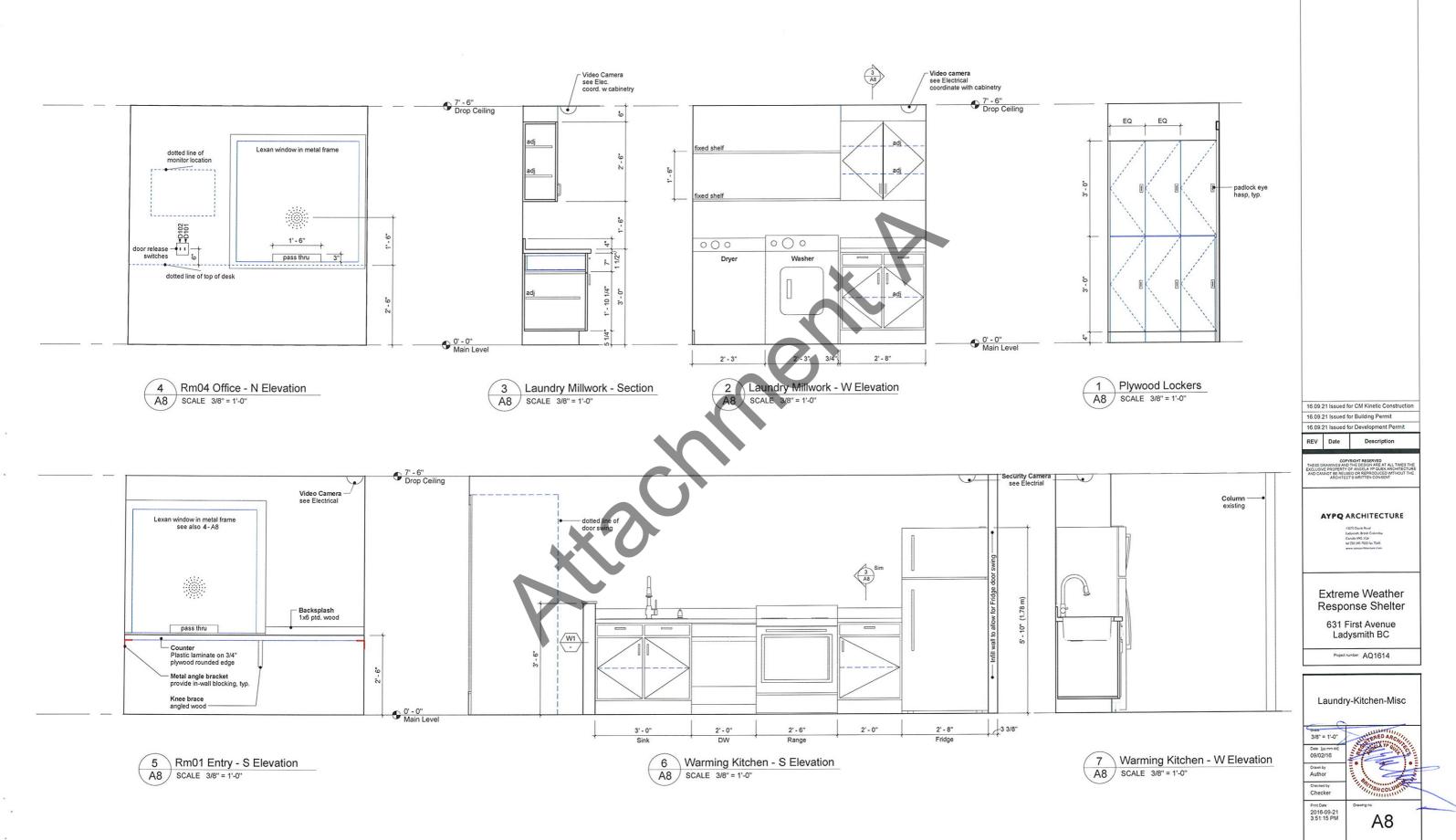




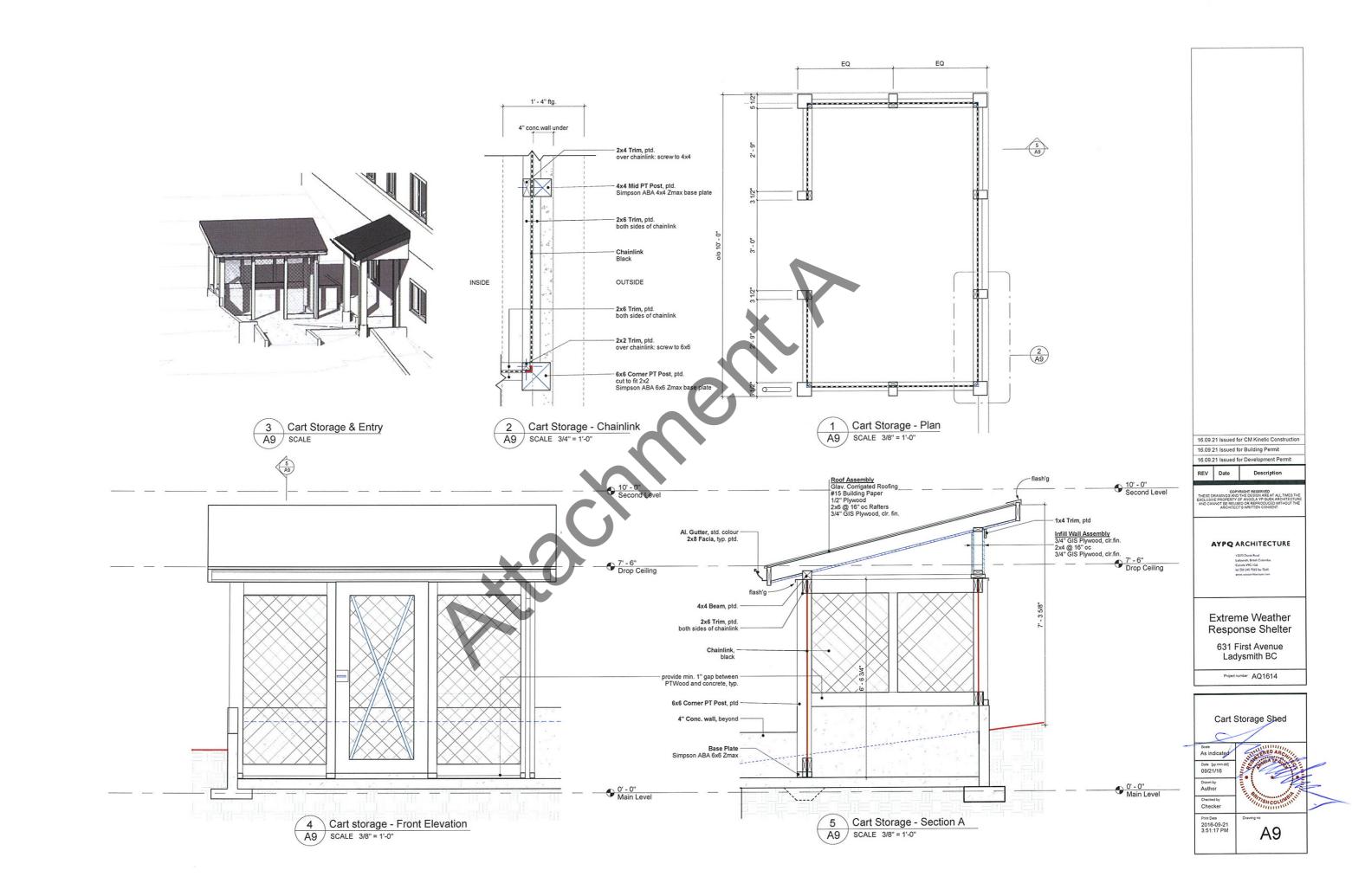


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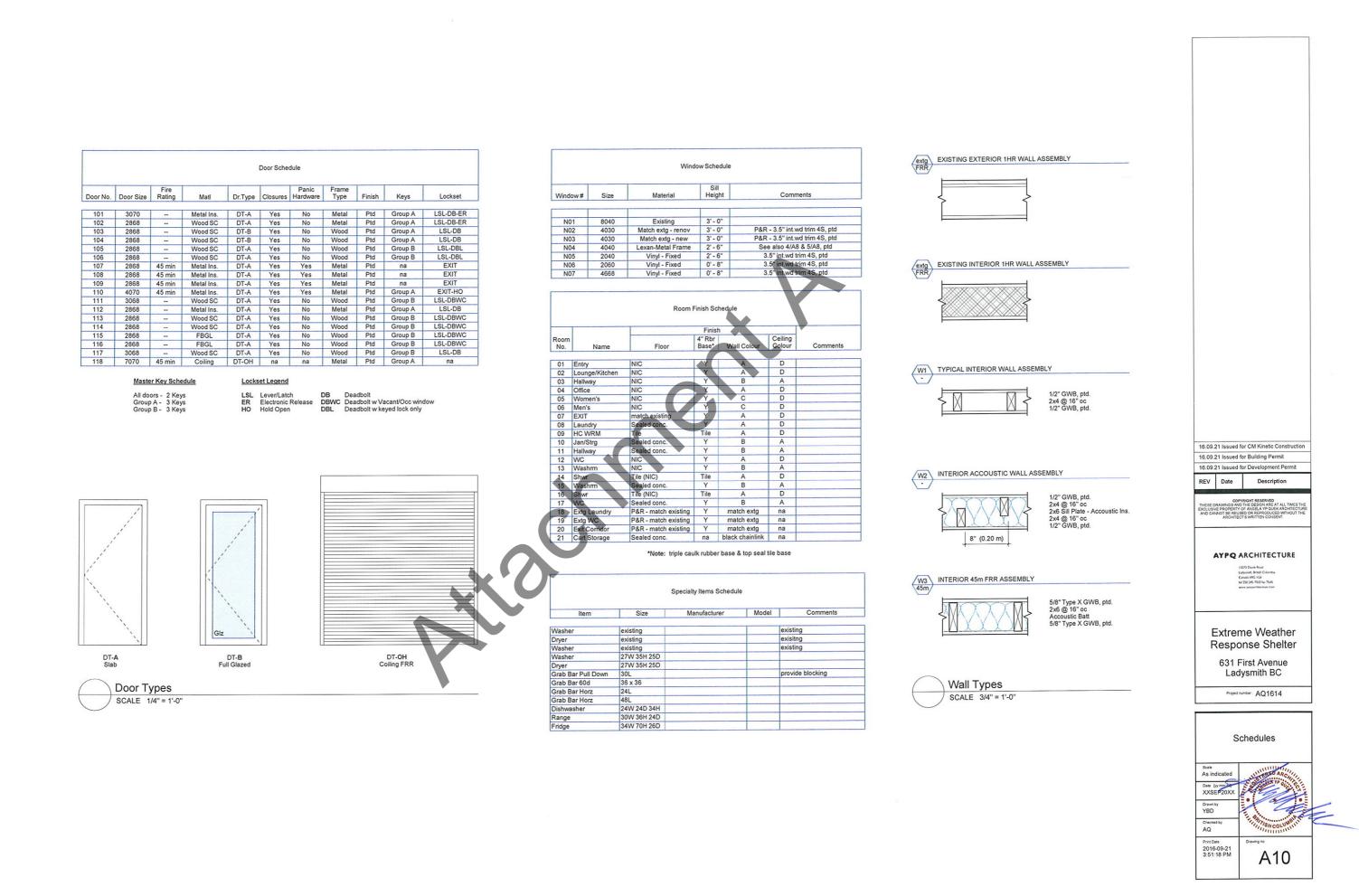




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TOWN OF LADYSMITH

BYLAW NO. 2076

A Bylaw to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860"

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

- 1. "Town of Ladysmith Zoning Bylaw 2014, No. 1860" is amended by:
 - (a) adding to section 4.1 'Interpretation', the following definition:

"EMERGENCY SHELTER: means a housing facility located inside a permanent building and operated by a non-profit society or government agency which provides temporary emergency accommodation, meals and support services for individuals experiencing homelessness."; and

(b) adding as subsection 8(c) under Section 10.10 'Medium Density Residential (R-3)' the following:

"Despite section 10.10(1) *Emergency Shelter,* for up to 10 people, is a permitted use on Parcel B (being a consolidation of Lots 9 & 10 see CA5603565) District Lot 56, Oyster District, Plan 703. PID 029-974-640 (631 1st Avenue)".

Citation

2. This Bylaw may be cited for all purposes as "Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 38) 2021, No. 2076".

READ A FIRST TIME on the	day of	, 2021		
READ A SECOND TIME on the	day of	, 2021		
PUBLIC HEARING held pursuant to the provisions of the Local Government Act				
on the	day of	, 2021		
READ A THIRD TIME on the	day of	, 2021		
APPROVED by the Ministry of Transportation & Infrastructure				
on the	day of	, 2021		
ADOPTED on the	day of	,		

Mayor (A. Stone)