



# AGENDA

## Community Planning Advisory Committee

Wednesday, September 7, 2022 at 7:00 p.m.  
City Hall Council Chambers

***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. 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.
2. ELECTION OF CHAIR (7:00pm)
3. AGENDA APPROVAL (7:10pm)
4. ADOPTION OF MARCH 2, 2022 MINUTES\* (7:10pm)
5. NEW BUSINESS  
None.
6. COUNCIL REFERRALS
  - a. Zoning Bylaw Amendment 3360-22-01 1152 Rocky Creek Road & Zoning Bylaw Amendment 3360-22-04 1144 Rocky Creek Road. \*  
(30 minutes)
6. MONTHLY BRIEFING (7:40pm)  
File Updates
7. NEXT MEETING - TBD
8. ADJOURNMENT (7:45 pm)

\*Attachments



# MINUTES

## Community Planning Advisory Committee

Wednesday, March 2, 2022 at 7:00 p.m.  
Via Zoom

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**PRESENT:** Acting Chair – Jason Robertson; Members – Brian Childs, Jennifer Sibbald, Steve Frankel, Tamara Hutchinson; Council Liaison – Marsh Stevens; Director of Development Services, Jake Belobaba; Senior Planner & Recorder – Christina Hovey

**ABSENT:** Members – Abbas Farahbakhsh, Jason Harrison

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The meeting was called to order at 7:06 pm.

It was moved, seconded and carried that Jason Robertson be the acting chair for the meeting. Acting Chair Jason Robertson acknowledged with gratitude that Ladysmith is located on the traditional unceded territories of the Stz'uminus First Nation.

**1. AGENDA APPROVAL**

It was moved, seconded and carried that the Agenda of March 2, 2022 be approved.

**2. ADOPTION OF MINUTES**

It was moved, seconded and carried that the Minutes of February 2, 2022 be approved.

**3. COUNCIL REFERRALS**

None.

**4. NEW BUSINESS**

**CPAC Comments for OCP Steering Committee**

As requested by the CPAC meeting in February, this meeting was convened to allow CPAC time to provide preliminary comments to make to the Official Community Plan (OCP) Review Steering Committee. Jake Belobaba provided a brief update on the status of the OCP project. Member Jennifer Sibbald is the CPAC representative on the OCP Steering Committee and will bring CPACs comments forward to the OCP Steering Committee.

There was a high level of consensus among the members present. CPAC brought forward the following considerations for the OCP Review:

- **Need for Neighbourhood Connectivity and Amenities:**
  - Concern with creating neighbourhoods that lack access to amenities within walking distance. Walkable neighbourhoods need to have destinations where people can walk to. South Ladysmith was the main example where there is a large residential area with few other land uses: few parks, no local commercial, no schools, recreation & community centers, or other government services. There is a need to design neighborhoods that de-incentivize driving.
  - Concern with “urban sprawl” and neighborhood connectivity, not only to amenities, but also between neighborhoods as well as to natural areas and greenspaces where people can recreate.

- Need to focus on creating/preserving greenspaces and parks to serve new neighbourhoods. “Cash in lieu” of parkland should only be considered in the context of a bigger plan for parkland.
- **Need for Stronger Environmental/Development Standards:**
  - The CPAC recommends that the town be ambitious in its commitments and take a leadership role in reducing GHG emissions and building resilience to climate change.
  - The CPAC strongly recommends that the town consider adopting policy to ensure that vulnerable ecosystems are protected from future development. An example of this would be making policy and/or value statements in the OCP about the protection of at-risk Coastal Douglas Fir ecosystems, represented by areas like Arbutus Ridge. Mechanisms for protection could include designating vulnerable areas in DPA’s as Conservation Areas or Natural Parks, or including strong policy in the OCP about advocating to the Province about protection of vulnerable habitats.
  - Need for better tree and vegetation preservation/retention and more/better tree planting, particularly with regard to new developments. Clearing of vegetation in new developments should be kept to a minimum, and where landscaping or mitigation for vegetation removal are required, native species and/or drought tolerant, non-invasive plant species should be used.
  - The CPAC recommends that the town motivate developers to preserve vegetation/greenspace rather than allowing expansive tree clearing. Retaining existing vegetation in newly developed areas serves many important functions, e.g.,: improved visual quality, better stormwater retention, provides habitat for birds and other wildlife, improves air quality. Replanting after development should be seen as a less ideal option than retaining existing vegetation because of time lag it takes new vegetation to provide these important function (i.e., decades).
  - Need for better stormwater management: maximizing permeable surfaces and properly controlling and treating run off is important for reducing the impacts of drought and storm events on both habitats and human infrastructure.
  - The CPAC suggests actions such as adopting Best Practices like *Stormwater Planning: A Guide Book for BC* and adopting permeability standards in zoning bylaws. This will be an important component of building communities that are resilient to climate change.
- **Need for High Quality Development:**
  - Considering the rapid rate of development and the high cost of housing, the Town needs to protect residents/future residents by ensuring that the standards of construction and development are high:
    - Adopting the BC Energy Step Code was presented as one way to improve construction standards as well as energy efficiency. The CPAC recommends that the Town be ambitious in selecting which Step on the Step Code to adopt. For example, inefficient methods of heating, like baseboard heating, should be removed from building codes.
    - In the OCP we are talking about increasing density and having more multiple developments so we need to ensure that these buildings are

designed “smartly” to the benefit of future residents in terms of quality of life and costs over the long term. For example, ensuring the site plan allows for easy garbage collection.

- As such, the CPAC suggests that the Town adopt high-level policy in the OCP that focus on quality of life for people living in multi-family developments.
- Need for better standards for high-quality and sustainable building materials.
- Landscaping should be more extensive and better suited to the local environment (e.g., native species and/or drought tolerant, non-invasive plant species).

The committee also highlighted climate change mitigation and adaptation as well as housing affordability as major concerns.

**5. MONTHLY BRIEFING**

**File Updates:**

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

- 631 1<sup>st</sup> Ave (3360-21-11)

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

**6. NEXT MEETING - TBD**

**7. ADJOURNMENT**

It was moved, seconded and carried that the meeting be adjourned at 8:47pm.

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Acting Chair (J. Robertson)

RECEIVED:

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Corporate Officer (D. Smith)

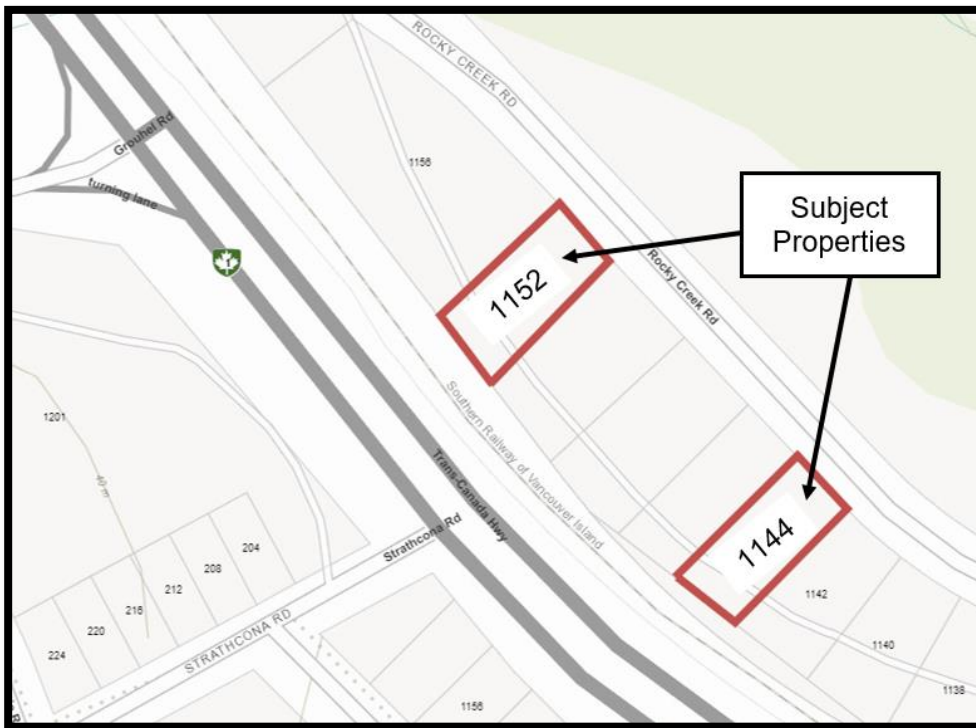
## REFERRAL REPORT

**Report Prepared By:** Christina Hovey, RPP, MCIP, Senior Planner  
**Meeting Date:** September 7, 2022  
**File No:** 3360-22-01 and 3360-22-04  
**Re:** Cannabis Production in I-1 Zone and Rezone from I-1A to I-1

### INTRODUCTION/BACKGROUND:

The Town has received two separate applications to amend the zoning bylaw to allow for cannabis production facilities on properties on Rocky Creek Road. 1144 Rocky Creek Road is in the I-1 (Light Industrial) zone and 1152 Rocky Creek Road is in the I-1A (Live/Work Industrial) zone.

Figure 1: Subject Properties



1152 Rocky Creek Road is requesting to be moved into the I-1 zone and both applications are requesting to allow cannabis cultivation and cannabis processing. No cannabis production uses are permitted in the I-1A zone. Currently, only cannabis micro-cultivation and micro-processing are permitted in the I-1 zone, except that there is a site specific provision which allows cannabis cultivation and cannabis processing at 1148 Rocky Creek

Road, adjacent to 1152 Rocky Creek Road. See Figure 2: 1148 Rocky Creek Road. If the zoning amendments are approved, the applicant has stated that they plan to amalgamate 1152 Rocky Creek Road and 1148 Rocky Creek Road to allow for an expansion to the development.

Figure 2: 1148 Rocky Creek Road



Table 1 includes the bylaw definitions for cannabis uses. The current Zoning Bylaw regulations were adopted in 2018 to allow for licenced cannabis micro-cultivation, micro-processing, and research and development in the I-1 and I-2 zones and to allow for cannabis cultivation and processing in certain areas of the I-2 zone. In 2020, a site-specific zoning amendment added cannabis cultivation and cannabis processing as permitted uses on 1148 Rocky Creek Road in the I-1 zone as noted above.

Table 1: Zoning Bylaw definitions for Cannabis Uses<sup>1</sup>

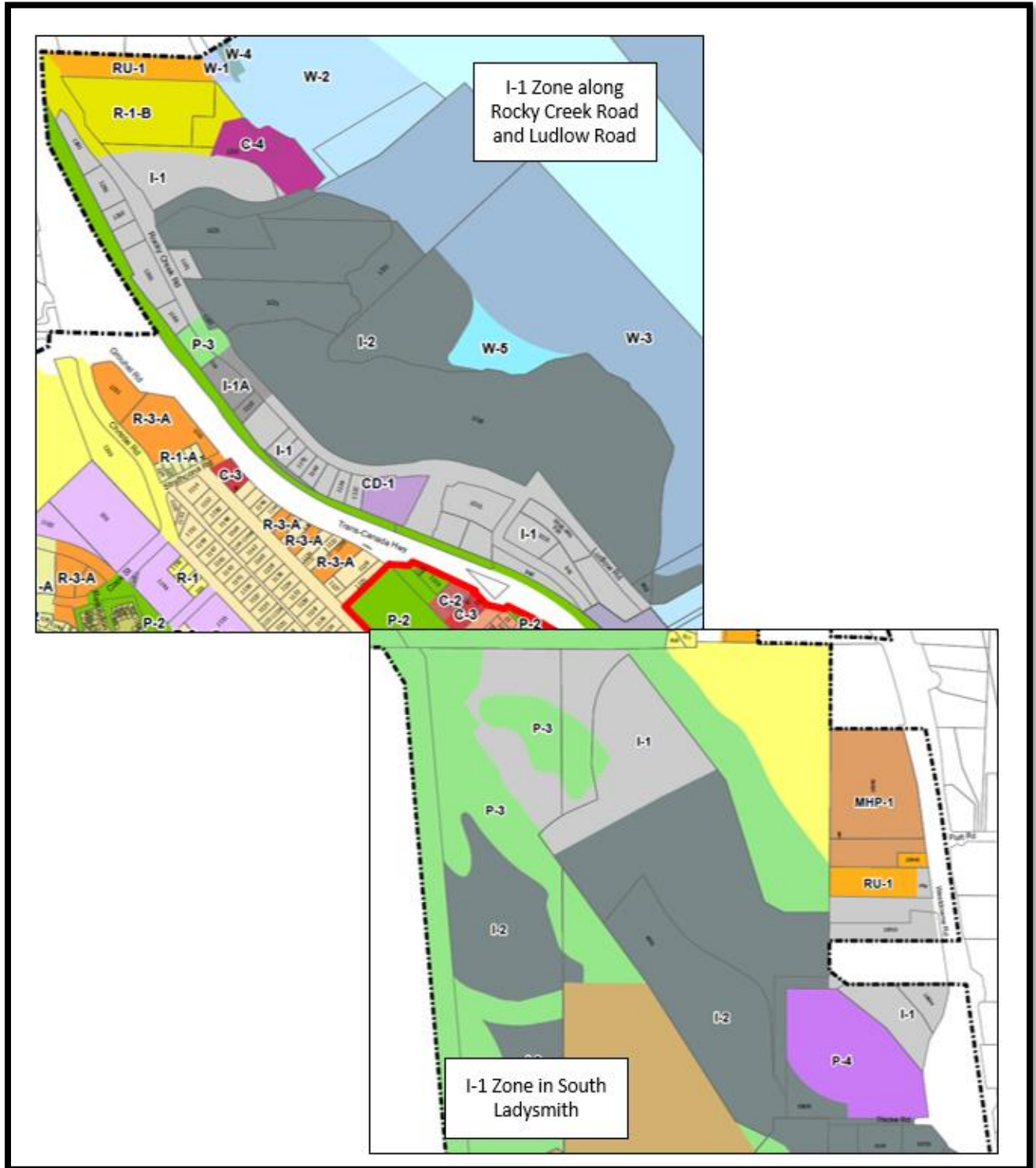
Zoning Bylaw Use	Zoning Bylaw Definition
Cannabis Micro-Cultivation	means the cultivation of Cannabis as authorized by a <b>licence for micro-cultivation or a nursery</b> under the Cannabis Act and its regulations contained entirely within a Building”.
Cannabis Micro-Processing	means the processing of Cannabis as authorized by a <b>licence for micro-processing</b> under the Cannabis Act and its regulations and is contained entirely within a Building.
Cannabis Research and Development	means the cultivation, processing, production and testing of Cannabis as authorized by a <b>licence for research</b> under the Cannabis Act and its regulations.
Cannabis Cultivation	means the cultivation of Cannabis as authorized by a <b>licence for standard cultivation</b> under the Cannabis Act and its regulations.
Cannabis Processing	means the processing of Cannabis as authorized by a <b>licence for standard processing</b> under the Cannabis Act and its regulations.

One option is to allow cannabis cultivation and cannabis processing be permitted in the entire I-1 zone (including the two properties that have applied for the zoning change). The I-1 zone regulations would still restricts the size and footprint of proposed facilities and there are special regulations for business licences to manage odour. These restrictions and safeguards in combination with the oversight for cannabis production from other levels of government to regulate cannabis production in Town. The extent of the I-1 Zone is shown in Figure 3.

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<sup>1</sup> A micro-cultivation licence limits the producer to a maximum of 200m<sup>2</sup> of plant surface area. A micro-processing licence limits the producer to a maximum of 600kg of dried cannabis per year. The standard licences do not have maximums.

Figure 3: Extent of I-1 Zone





## **DISCUSSION:**

### ***Official Community Plan:***

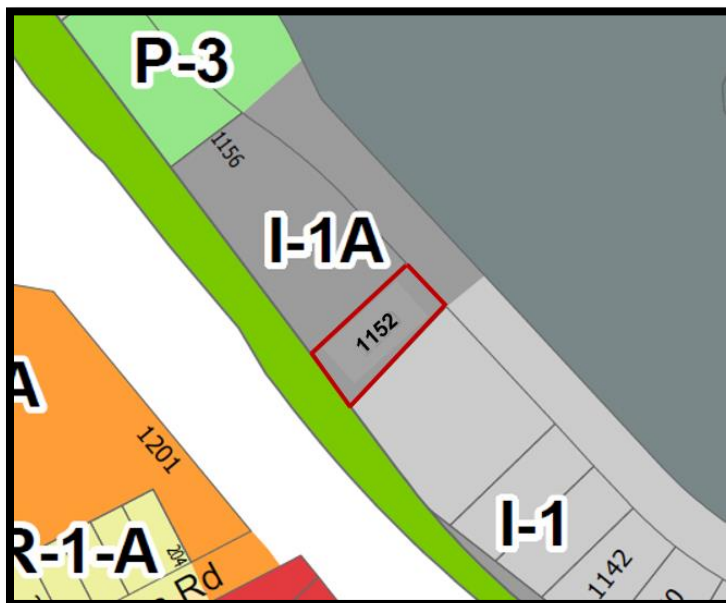
Both subject properties are within the “Industrial” designation in the Official Community Plan (OCP). The proposed additional permitted uses are consistent with the OCP which states that the industrial designation should provide for a range of industrial and light industrial uses.

All industrial properties are within DPA 5 Industrial, therefore development permits are required prior to development. Note that the applicants for 1144 Rocky Creek Road have applied for a development permit, with the understanding that if their rezoning application is denied, they will be restricted to “micro” cannabis licences.

### ***Zoning Bylaw:***

The I-1A zone permits a limited range of light industrial uses and provides for residential units to be located above. The I-1 zone provides for a wider range of light industrial uses and does not allow for residential uses except for a caretaker dwelling. Rezoning 1152 Rocky Creek Road from I-1A to I-1 moves the boundary between these adjacent zones by one property (see Figure 4).

*Figure 4: Boundary between I-1A and I-1 zones*



The I-1 zone permits cannabis micro-cultivation, cannabis-micro processing, and cannabis research and development. The I-1 zone does not permit cannabis cultivation or cannabis processing<sup>2</sup>, these uses are only permitted in select properties in the Heavy Industrial I-2 zone.

Considering uses permitted in the I-1 (light industrial) compared to the I-2 (heavy industrial) zones one key difference is that the I-1 zone generally requires uses located inside buildings whereas the I-2 zone may allow uses

outside of buildings. With either the proposed site specific amendments or an amendment to the entire I-1 zone, these uses are recommended to limited to only occurring indoors.

No other amendments to the I-1 zone have been requested, meaning that both proposed facilities are intending to be constructed in accordance with the overall size and density regulations of the I-1 zone.

<sup>2</sup> Except for as a site-specific zoning permission on 1148 Rocky Creek Road as previously noted.

***Business Licence Bylaw & Odour Abatement:***

The Town's Business License Bylaw No. 1513, 2003 contains existing measures to mitigate potential impacts caused by the release of odours associated with cannabis production. The Bylaw states that cannabis processing, cannabis micro-processing, cannabis cultivation, cannabis micro-cultivation and cannabis research and development businesses that fall within 500m of a zone that permits residential use are required to have an odour abatement plan and that the required air filtration/ventilation system is operational as verified by a mechanical engineer. The subject properties are both located within 500m of a zone that permits residential use, as are almost all of the I-1 properties in Town. The business owner must provide the Town with a record from a qualified person demonstrating the performance of the odour abatement plan before a business licence will be renewed each year.

Any proposed cannabis business must have a business licence from the Town in order to operate. To ensure compliance with the Zoning Bylaw, the applicant will be required to provide proof that they have obtained the appropriate licence(s) for the cannabis uses issued by Health Canada under the Cannabis Act and its regulations before a business licence is issued.

Health Canada also requires that licence applicants provide ventilation and filtration measures in order to prevent the escape of odours associated with cannabis plant material to the outdoors.

**CPAC REFERRAL:**

These applications are 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.

In this case, please provide CPAC's advice to Council on the following:

1. Proposal to rezone 1152 Rocky Creek Road from the I-1 zone to the I-1A zone
2. Proposal to allow cannabis cultivation and cannabis processing at 1144 and 1152 Rocky Creek Road.
3. Proposal to allow cannabis cultivation and cannabis processing throughout the I-1 zone.

**ATTACHMENTS:**

- A. Applicant's Rationale Letter 1144 Rocky Creek Road
- B. Applicant's Rationale Letter 1152 Rocky Creek Road

February 8<sup>th</sup>, 2022

**Rationale Letter**  
**Town of Ladysmith**  
**132 C Roberts St.**  
**Ladysmith, BC V9G 1A2**

**1144 Rocky Creek Road, Ladysmith, BC, V9G 1J5**

Our intent with our application to rezone our property within the Light Industrial Zone (I-1) in the town of Ladysmith is to allow for cannabis processing and cannabis cultivation, currently only cannabis micro-cultivation, cannabis micro processing, and cannabis research and development are permitted within this zone.

**The Town of Ladysmith has various cannabis used that are permitted under the current Zoning Bylaws defined below.**

<b>Zoning Bylaw Use</b>	<b>Zoning Bylaw Definition</b>
Cannabis Micro-Cultivation	means the cultivation of <i>Cannabis</i> as authorized by a <b>licence for micro-cultivation or a nursery</b> under the <i>Cannabis Act</i> and its regulations contained entirely within a <i>Building</i> ".
Cannabis Micro-Processing	means the processing of <i>Cannabis</i> as authorized by a <b>licence for micro-processing</b> under the <i>Cannabis Act</i> and its regulations and is contained entirely within a <i>Building</i> .
Cannabis Research and Development	means the cultivation, processing, production and testing of Cannabis as authorized by a <b>licence for research</b> under the Cannabis Act and its regulations.
Cannabis Cultivation	means the cultivation of <i>Cannabis</i> as authorized by a <b>licence for standard cultivation</b> under the <i>Cannabis Act</i> and its regulations.
Cannabis Processing	means the processing of <i>Cannabis</i> as authorized by a <b>licence for standard processing</b> under the <i>Cannabis Act</i> and its regulations.

The proposal in this development is to construct a new two-storey base building on the currently vacant lot to allow for the operation of cannabis cultivation and cannabis processing under a standard cultivation and processing licence, entirely indoors in the fully enclosed building. The front setback of the building will be used to accommodate a two-way driveway and ten parking stalls, which is compliant with the current Zoning Bylaw 1860, Part 8.2. The building can be accessed by three main entrance doors located at front on both sides, and

one beside the overhead rolling door. An overhead rolling door is located at the centre of the building frontage to allow access to fleet vehicles or delivery trucks. An exit door is located at the south side of the building.

The ground floor or level 1 is comprised of two L-shaped stairs to access the second level and to provide 2 exits from the area on Level 2. One washroom for handicap and one unisex washroom are located on the south side on Level 1. On the north side the electrical/mechanical room are located against stairs and can be accessed from the outside of the building. On the second floor there are two washrooms one for female and one for male users and they are located at the south side aligned to washrooms on the ground level. It also consists of a corridor and space ready for an office, kitchen, dining area and locker room. The second floor is intended for employee’s common service area and office space.

The zoning I-1 regulates the use, size, and massing of the buildings by establishing the following:

<u>Permitted</u>	<u>Proposed</u>
<p>Permitted uses: Micro Cannabis Cultivation and Processing</p> <p>Maximum Floor Space Ratio: 0.70                      Maximum Parcel Coverage: 75%                      Maximum Principal Bldg. Height: 12.00 m                      Maximum Accessory Bldg. Height: 7.50 m                      Number of Storeys: N.A.</p> <p>Gross Floor Area: Variable                      Gross Parcel Area: Variable</p> <p><u>Minimum Setbacks:</u></p> <p>Front (East): 6.00m                      North &amp; South Side: 3.00m                      Rear (West): 3.00m</p> <p><u>Parking &amp; Loading Regulations (Part 8):</u>                      Permitted: 0.5 per employee plus 1 per 100 SM of gross floor area, plus 1 per fleet vehicle</p>	<p>Proposed Use: Standard Cannabis Cultivation and Processing</p> <p>Maximum FSR: 0.49                      Maximum Parcel Coverage: 49%                      Maximum Principal Bldg. Height: 7.60 m                      Maximum Acc. Bldg. Height: N.A.                      Number of Storeys: Two</p> <p>Gross Floor Area: 672 SM                      Gross Parcel Area: 1366 SM</p> <p>Front (East) : 14.60m                      North &amp; South Side : 3.00m                      Rear : 6.10m (Northwest)                      3.10m (Southwest)</p> <p>Provided: 10 parking stalls (6 employees x 0.5 = 3 + 672 SM/100= 6 + 1 fleet vehicle)</p>

The building character is a very reflection of its use and function. The use of modern industrial materials such as PBR for wall cladding, concrete, steel, and glass not only meets the functionality requirements but its aesthetics as well.

The building design, setbacks, and landscaping aim to avoid conflicts between the adjacent neighboring buildings and at the same time maintaining privacy of the properties indoor and outdoor spaces.

**Official Community Plan:**

The subject property is within the Industrial designation under the Official Community Plan (OCP):

“The Industrial designation is intended to accommodate industrial development and employment centres. It provides for the range of heavy industrial and light industrial uses, and limited commercial uses to support industrial parks. The maximum density is 0.3 FSR for heavy industrial and 0.7 FSR for light industrial developments.”

The proposal is for the subject property to remain an industrial use, which is consistent with the current OCP designation. As outlined above the proposed development is within the maximum light industrial density. The proposal is to have all cannabis uses contained within the building, which is in line with the I-1 zoning. Based on this, the proposed development can be considered light industrial use and is consistent with the current OCP, thus an OCP amendment is not required.

To be in accordance with the required physical security measures under the Cannabis Act and its regulations for a licence for Standard Cultivation and Processing we are proposing to construct chain link fencing with barbed wiring around the site to provide a physical security barrier. Privacy screens will be affixed to the chain link fencing to ensure the fencing is rendered as opaque. Hedges will be planted along the front lot line, as shown in the Landscape Design, for an additional barrier.

**Proposed Zoning Bylaw Amendment:**

As per the definitions, our intention behind rezoning to allow for cannabis cultivation and cannabis processing is to have the ability to apply for a licence for standard cultivation and standard processing under the Cannabis Act and its regulations. Under the following link you can find Appendix B <https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/industry-licensees-applicants/licensing-summary/guide.html#b> which outlines the differences between Micro Cultivation and Processing in comparison to Standard Cultivation and Processing.

We are proposing to allow for a site-specific amendment to the I-1 zone to allow cannabis cultivation and cannabis processing within the proposed enclosed building on our subject property, this will retain consistency with the light industrial uses in the I-1 zone and the OCP. The density of the proposed development is in line with the current density regulations under the I-1 zone.

Sincerely,  
Angelika Klimowicz  
Polstar Construction Ltd.  
E:angelika@polstarconstruction.ca  
P:604-616-6446



Attachment B

**Proposal Letter for 1152 Rocky Creek Road**

Dear Town of Ladysmith,

I am writing to propose a zoning amendment on our property 1152 Rocky Creek Road. I would like to change the zoning to match the neighboring property 1148 Rocky Creek Road which is also owned by our BC holding corporation (1121895 BC LTD). I would like 1152 Rocky Creek Road to allow for a standard cannabis cultivation and processing license on the property.

With this rezone we plan to amalgamate 1148 Rocky Creek Road with 1152 Rocky Creek Road to make it one address. This will allow us to have more flexibility with spacing and size of our next building that we plan to build on the property. The added space of a larger lot will give Island Genetics (our licensed cannabis company) the ability to have a proper pharmaceutical research laboratory and the needed production space.

We will work with the Town of Ladysmith to build further landscaping features to enhance the property visually while keeping the neighbors content.

Sincerely,

Zachary Chester

[zachtchester@gmail.com](mailto:zachtchester@gmail.com)

604 345 4079

DocuSigned by:  
*Zachary Chester*  
C2B7062B066A4E3...

1/17/2022