



AGENDA

Community Planning Advisory Committee

Wednesday, June 7, 2023 at 7:00 p.m.
City Hall Council Chambers, 410 Esplanade

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.
- 1.1 INFORMATION ON HOW TO VIEW/ATTEND THE MEETING

Residents are welcome to attend in person at City Hall Chambers at 410 Esplanade or "electronically" attend the meeting using the meeting link below:

<https://us06web.zoom.us/j/83548997810?pwd=KytZN1A2Z2ZieHZaLy9yTWWh1Q1JlZz09>
2. AGENDA APPROVAL (7:05pm)
3. ADOPTION OF May 3, 2023 MINUTES* (7:05pm)
4. NEW BUSINESS
 - a. CPAC Membership – Term expiry and renewal* (7:05pm)
(10 minutes)
5. COUNCIL REFERRALS (7:15pm)
 - a. Zoning Bylaw Amendment Application 3360-23-01 – 19 Gatacre Street*
(30 minutes)
6. MONTHLY BRIEFING (7:45 pm)
File Updates (10 minutes)
7. NEXT MEETING – TBD
8. ADJOURNMENT (7:55 pm)

*Attachments



MINUTES

Community Planning Advisory Committee

Wednesday, May 3, 2023 at 7:00 p.m.
City Hall Council Chambers, 410 Espanade

PRESENT: Chair - Jason Harrison; Members – Steve Frankel, Tamara Hutchinson, Jason Robertson; Council Liaison – Marsh Stevens; Director of Development Services – Jake Belobaba; Planner/Recorder – Andrew Wilson

ABSENT: Members – Brian Childs, Abbas Farahbakhsh, Jennifer Sibbald

GUESTS:

Jason Harrison called the meeting to order at 7:05 PM, acknowledging 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 May 3, 2023, Community Planning Advisory Committee meeting be approved.

2. ADOPTION OF MINUTES

It was moved, seconded, and carried that the Minutes of March 15, 2023, Community Planning Advisory Committee meeting be approved.

3. NEW BUSINESS

None.

4. COUNCIL REFERRALS

a. Zoning Bylaw Amendment 3360-22-09 – 624 John Wilson Place

Planner Andrew Wilson provided an overview of the proposal for a secondary suite in a newly constructed two-storey single family dwelling in the Holland Creek area. Committee members asked staff about the rationale behind only allowing secondary suites on certain sized parcels. Staff explained that minimum lot sizes are largely arbitrary, and that there is a historical assumption that more dwellings require larger size lots.

Committee members questioned if there is enough room for parking on the parcel and if it will impact on-street parking. Staff commented that there is a clause in the Business Regulations and Licensing (Rental Units) Bylaw, (Bylaw No. 2093) that tenants shall not be required to park on the street where on-site parking is available, and contravention of this bylaw can result in a fine. Committee members made comments that the number of available parking spots on the property is adequate, and the tandem parking configuration seems suitable.

Committee members made comments about the potential for more rezoning and variance applications to permit secondary suites in this subdivision. Committee members discussed the need for Council to have a broader discussion about secondary suite requirements in all zones.

It was moved, seconded, and carried that the Community Planning Advisory Committee recommends that Council approve Zoning Bylaw Amendment 3360-22-09 (624 John Wilson Place) as presented, and that Council investigate current prerequisites for secondary suites, specifically for minimum lot size and minimum frontage.

5. MONTHLY BRIEFING

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

- 11 & 17 Warren Street (3360-21-12)
- 1141 Cloke Road (3360-22-05)
- Official Community Plan Bylaw 2022, No. 2200

6. NEXT MEETING – TBD

7. ADJOURNMENT

It was moved, seconded, and carried that the meeting be adjourned at 7:47 PM.

Chair (J. Harrison)

RECEIVED:

Corporate Officer (M. O'Halloran)

MEMORANDUM

To: Community Planning Advisory Committee
From: Julie Tierney, Executive Liaison
Date: May 8, 2023
File No: 0540-20 CPAC

Our records indicate that the following members' terms expire on June 30, 2023:

- Jason Robertson
- Brian Childs
- Steve Frankel
- Jason Harrison
- Tamara Hutchinson
- Jennifer Sibbald
- Abbas Farahbakhsh

If any of the committee members wish to renew their term on the Community Planning Advisory Committee for another two years, I would request that they complete the attached application and return it to City Hall, attention Julie Tierney (jtierney@ladysmith.ca) at their earliest convenience; however, no later than 4:00 pm on Friday, June 2, 2023.

Thank you.

ATTACHMENT

Committee Application
Terms of Reference

ADVISORY BODY APPLICATION

Advisory body you wish to be considered for: _____

(*note: A separate form must be completed for each vacancy you wish to be considered for)

CANDIDATE INFORMATION			
Name of Applicant:			
Civic (Street) Address:			
Mailing Address:	City:	Province:	Postal Code:
Home Phone:	Business:	Fax:	
Email Address:			
Reason for Seeking Appointment:			
History of Community Involvement:			
Related skills and experience:			
<p><i>I signify that I am willing to accept an appointment to the Board, Commission or Committee named herein, should I be appointed to such by the Council for the Town of Ladysmith.</i></p>			
Signature of Applicant: _____		Date: _____	

The personal information on this form is collected under the authority of the Community Charter and will be used for the purpose of the running of the municipality. If you have any questions about the use and collection of this information, contact the Corporate Officer - 250.245.6417.

COMMUNITY PLANNING ADVISORY COMMITTEE**Type**

☒ Council Committee ☐ Task Force

Mandate

The Community Planning Advisory Committee is a Select Committee of Council pursuant to section 142 of the Community Charter.

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.

The Community Planning Advisory Committee (the Committee) will provide:

- (a) Feedback to applicants and recommendations to Council on the following types of development applications, using the principles set out in Schedule A:
 - Amendments to the Official Community Plan (OCP) where a change in land use designation is proposed.
 - Amendments to the Zoning Bylaw where change in zone, land use and/or density is proposed.
 - Issuance of a Development Permit where new construction is proposed in accordance with the guidelines for the Downtown (DPA 2).
 - Development or redevelopment of land, buildings or structures that are on the Community Heritage Register.
- (b) Advice to Council or participate on a project advisory committee or task force on behalf of the Committee for Town-initiated land use initiatives, policies or plans, such as new OCP policies, a major review of the OCP, a new area plan, or significant amendments to the Zoning Bylaw.

Authority

This is an advisory committee. The Committee will review matters as outlined within the Committee Mandate, and make recommendations to Council.

Membership and Terms

The Committee will be comprised of the following:

- Seven citizen members
- One Council liaison to facilitate ongoing communication between Council and the Committee on matters referred by Council (This is an *ex-officio* or non-voting role)
- One alternate Council liaison (This is an *ex-officio* or non-voting role)

Each member appointed by Council shall serve a two year term. A member appointed by Council shall serve a maximum of six consecutive years.

Membership Requirements/Qualifications

Members of the Committee will represent the diversity of the community.

The seven citizen members of the Committee will represent a broad range of skills and/or experience in economic and social development, housing, design, and the environment, in areas such as:

- Development economics
- Ladysmith's social issues, including housing
- Preservation and restoration of heritage buildings
- Architecture, urban design or landscape architecture
- Environmental protection and climate change.

Staff Support

The Committee will be supported by one Development Services Department staff liaison (This is an *ex-officio* or non-voting role.)

Reporting

Committee recommendations related to development applications will be conveyed to Council through the established development review process, and generally contained in staff reports to Council. Committee minutes will be provided to Council on a regular basis.

Meeting Management

(a) Chairperson

- The Chairperson will be elected annually by the members.
- The first Chairperson will be elected at the first meeting of the Committee, and annually thereafter at the first meeting following July 1st.
- If the Chairperson is unable to attend a meeting, the members present will select an acting Chairperson for that meeting.
- An ex-officio member may not serve as Chairperson of the Committee.

(b) Meeting Times and Procedures

- The Committee will meet once per month, if there are referrals to consider.
- The meeting location will be published in the meeting agenda.
- The Council Procedure Bylaw of the Town applies to meetings of the Committee.
- Meetings of the Committee will be open meetings pursuant to section 93 of the *Community Charter*.

(c) Agendas and Minutes

- Staff in the Development Services Department, in consultation with the Chairperson, will prepare the meeting agenda and distribute it to the members of the Committee one week prior to the meeting date.
- Recording of meeting minutes will be assigned by the Director of Development Services. Draft minutes will be reviewed by the Chairperson.
- Draft minutes will be distributed with the meeting agenda package.
- Recommendations from the Committee will be included in the Staff Report to Council on the referred matter.
- Minutes of the Committee meetings will be posted on the Town of Ladysmith website and included in Council agenda packages.

Alignment with Council Strategic Priorities

- ☒ Employment & Tax Diversity
- ☐ Watershed Protection & Water Management
- ☒ Communications & Engagement

- ☐ Natural & Built Infrastructure
- ☐ Partnerships
- ☐ Not Applicable

Amended: September 21, 2021

Schedule A**1. Application Review Process Principles****(a) OCP or Zoning Bylaw Application Review**

- Staff will provide a report outlining the general proposal which will be included in the meeting agenda package.
- The Community Planning Advisory Committee will:
 - 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

(b) Development Permit Application Review

- Staff will provide a report outlining the general proposal which will be included in the meeting agenda package.
- The Community Planning Advisory Committee will:
 - Use the design guidelines contained within the Official Community Plan in the review of development permit proposals.
 - Hear from the applicant's design team through a brief presentation to summarize their design criteria and proposal.
 - Consider each proposal as an expression of the evolution of the streetscape of the Downtown and aim for the highest standard of excellence in the built environment.
 - Consider each proposal on its own merits.
 - Provide its advice to Council in the form of a motion or statement of review.

CPAC REFERRAL REPORT

Report Prepared By: Andrew Wilson, Planner
Meeting Date: June 7, 2023
File No: ZBL 3360-23-01
RE: Zoning Bylaw Amendment Application for a Funeral Home use at 19 Gatacre Street

EXECUTIVE SUMMARY:

The Town has received an application to amend the zoning bylaw for the purpose of operating a funeral consulting business including temporary storage of human remains (Funeral Home) at 19 Gatacre Street. The Community Planning Advisory Committee (CPAC) is being asked to provide feedback regarding the application in accordance with the CPAC Terms of Reference.

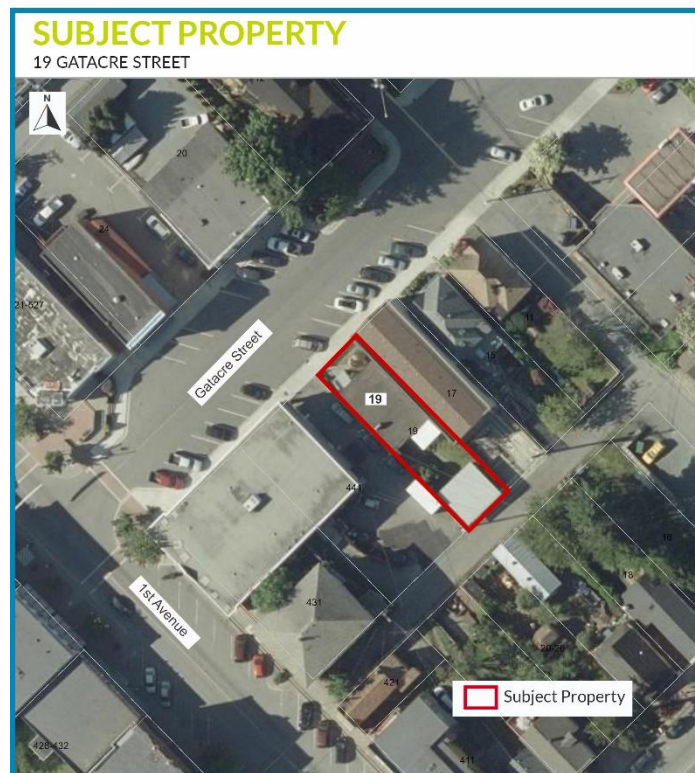
BACKGROUND/PROPOSAL

The subject property (see Figure 1) is located at 19 Gatacre Street within the commercial Downtown Core area, which consists of a mix of commercial and residential uses.

The subject property contains a two-storey single-family dwelling that is currently being used as a residence on the upper storey (89 m²) and a funeral consulting service (office use) on the lower storey (74 m²).

The applicant previously operated the business, which included temporary cold-storage of human remains, on a neighbouring property at 17 Gatacre Street. However, the zoning bylaw regulations were modified in 2016 such that “Funeral Homes” or “Funeral Parlours” (including preparation/storage of human remains) are no longer permitted in the downtown, except on one property (112 French Street). As such, current zoning on the subject property (19 Gatacre Street) does not allow the applicant to operate the cold-storage portion of the business (the consulting portion of the business is permitted as an

Figure 1: Subject property map.



office use), and he has therefore applied for a zoning bylaw amendment to allow preparation/storage of human remains.

The proposed operation will include the existing funeral consulting services and cold storage to hold the deceased temporarily until deposition arrangements have been made. Cremation is not proposed for this application and is not a permitted use elsewhere in the downtown; however, cremated remains maybe held on site temporarily. Funerals or memorials are not hosted on the subject property and are not proposed as part of this application.

The applicant has provided a cover letter to support the rezoning application (Attached).

DISCUSSION

Official Community Plan (OCP) Bylaw 2022, No. 2200:

The subject property is within the Downtown Heart land use designation in the new OCP. Downtown Heart is considered a Priority Growth Area and is the heart of cultural, culinary, economic, and public life. It provides for a range of commercial uses including retail, office, and services, as well as civic and cultural services. The Downtown Heart is also part of a neighbourhood in which people increasingly live in homes above commercial uses in multi-family buildings, as well as in residential multi-family buildings.

The following OCP policies are relevant to the proposal:

Policy 2.4 General Land Use Policies:

- c. Support mixed-use development in areas that are served well by transit, good pedestrian infrastructure, and trails. Prioritize this development type in the Priority Growth Areas.
- d. Strongly encourage all commercial uses to have residential uses above the ground floor. Encourage the densification of existing areas with this development form, along with provision of amenities and infrastructure.

The development is supported by the Downtown Heart designation and is consistent with the OCP policies noted above. An OCP amendment is not required.

Development Permit Area:

The subject property is within “Development Permit Area 2 – Downtown” (DPA 2) in the OCP. DPA 2 guides the form and character for developments in the Downtown and a Development Permit (DP) is required for building alteration and construction of new buildings. The applicant is not proposing any alterations to the existing building at this time, nor any new construction.

Zoning Bylaw:

The subject property is zoned Downtown Commercial (C-2) in Zoning Bylaw 2014, No. 1860 (see Figure 2). The C-2 zone is intended to accommodate a broad range of commercial and community uses in the historic Downtown. The proposed use is considered a “Funeral Home” use under the zoning bylaw, which is defined in the zoning bylaw as “premises used for preparing human remains for burial or other end of life processes, and conducting funeral services, but excludes facilities for cremation or aquamation.” This use is not a permitted in the C-2 zone except as a site-specific regulation at 112 French Street.

Parking:

The zoning bylaw requires a minimum of one parking space per eight seats for a Funeral Home and one space per residential dwelling. The property currently has two parking spaces on site in a carport accessed via the rear laneway.

However, a zoning bylaw amendment (Bylaw No. 2140) is currently in process that proposes several changes to the zoning bylaw to align with policies in the new OCP and, if approved, will eliminate the requirement for on-site commercial parking spaces within the

Downtown. Bylaw No. 2140 was considered by Council on May 16th and the public hearing was waived; it is expected to proceed to Council on June 6th for consideration of first, second and third readings.

Figure 2: Zoning map.

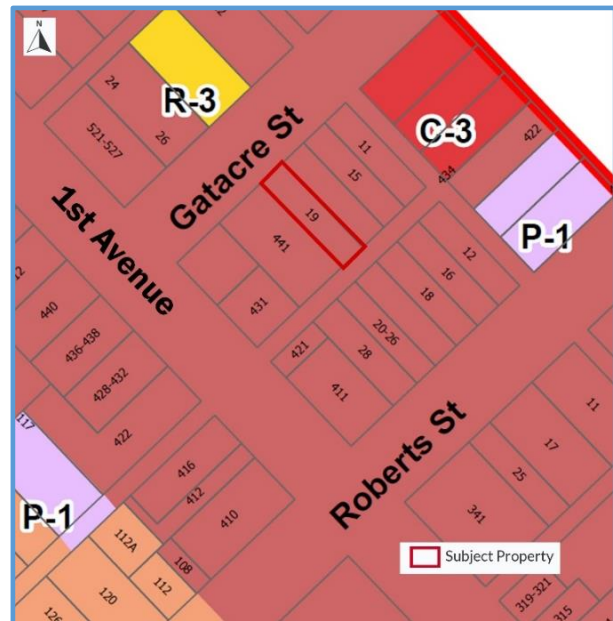


Figure 3: Site photo of 19 Gatacre Street.



PROPOSED BYLAW AMENDMENT:

To facilitate the addition of the proposed use, a site-specific amendment to the C-2 zone is proposed that will allow Funeral Home as principal use on the subject property. The Funeral Home definition in the zoning bylaw includes hosting funeral/memorial services; however, since the applicant is not intending to host funerals, it is proposed that funeral/memorial hosting services be prohibited. This will also eliminate any traffic/parking congestion issues that could arise from holding funerals on the property, considering the limited on-site parking. The two existing parking spaces are considered adequate to meet the needs of the current and proposed uses and will meet the minimum parking requirements in the zoning bylaw, provided Bylaw No. 2140 is adopted by Council.

As it is a site-specific amendment, the proposed zoning bylaw amendment will only be applicable to 19 Gatacre Street.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

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

NEXT STEPS:

Following the referral period, the application will proceed to Council for consideration of first and second readings.

ATTACHMENTS:

- A. Applicant cover letter

Attachment A

Sep 01-2022

Jake Belobaba

Director of Development Services

Re: Rationale Letter

Evergreen Cremation Centre has been in operation, located at 17 Gatacre Street, since November 2015 operating as a Funeral Provider – but not a funeral home. We have purchased 19 Gatacre Street and wish to continue to provide our services to the growing population of Ladysmith.

On site we; prepare documents necessary to create death certificates and facilitate the burial or cremation of the deceased; occasionally meet with executors and family members who have had a death, although most arrangements are made in the families homes; hold the deceased until the arrangements for final disposition are made; and hold cremated remains until returned to the estate.

I consider Evergreen Cremation Centre a “Funeral Provider” for a few main reasons, Licensing through Consumer Protection of BC states we are a funeral provider. The fact we do not hold funeral/ memorials at any of our locations, and never have. We do not perform embalming, if an embalming is required the service is contracted out, - we have no embalming room or equipment. There is no chapel in our buildings, but if a person is wanting a ceremony, we help arrange much like an Event Planner sits in an office and help design celebrations, but the celebrations are not held at the Event Planners office, but again I designed the company to help those who are looking for a “simple cremation”, but the cremation itself is, and always have been, off site as well.

During the years in business we have not caused or been effected by any parking issues as we do not have group gatherings. Typical meetings in our office (when in the office) is on average 30 minutes and involving 1-2 people who arrive in one car. The building is used as an office space to meet with families and storage/ holding facilities, providing a service to the people of Ladysmith and areas surrounding and I believe because of the fact we do not hold funerals we hold true to the Community Plan.

Kind regards

Kevin Owens

Director of Evergreen Cremation Centre