



AGENDA

Community Planning Advisory Committee

Wednesday, November 1, 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 ATTEND THE MEETING
Residents are welcome to attend in person at City Hall Chambers at 410 Esplanade.
2. AGENDA APPROVAL (7:05pm)
3. ADOPTION OF September 6, 2023 MINUTES* (7:05pm)
4. NEW BUSINESS (7:05pm)
 - a. Terms of Reference Review (20 minutes)
The Senior Planner will provide an overview/refresher of CPAC's Terms of Reference.
 - b. Mock Council Referral – Development Permit 3060-21-16 – 431 1st Avenue (30 minutes)
NOTE: This referral is for practice only and resolutions will not proceed to Council. This application was previously considered by CPAC in 2021 and the DP was approved by Council.
5. COUNCIL REFERRALS (7:55pm)
None.
6. MONTHLY BRIEFING (7:55pm)
File Updates (10 minutes)
7. NEXT MEETING – TBD
8. ADJOURNMENT (8:05 pm)

*Attachments



MINUTES

Community Planning Advisory Committee

Wednesday, September 6, 2023 at 7:00 p.m.
City Hall Council Chambers, 410 Espanade

PRESENT: Chair – Jason Robertson; Members - Keona Wiley, Julika Pape, Tonya Soules, John Scott; Council Liaison – March Stevens; Development Services Staff - Julie Thompsen (Senior Planner), Andrew Wilson (Planner), Jake Belobaba (Director of Development Services), Julia Tippet (Planner/Recorder)

ABSENT: Members - Jennifer Aker

GUESTS: Applicant - Kevin Owens (File No. 3360-23-01)
Applicant - Jarrod Koster (File No. 3360-23-02)

Julie Thompson, Senior Planner, called the meeting to order at 7:00 PM, acknowledging with gratitude that Ladysmith is located on the unceded territories of the Stz'uminus First Nation.

1. WELCOME, INTRODUCTIONS & ORIENTATION FOR NEW MEMBERS

Development Services Staff and Committee members gave brief introductions. The Senior Planner welcomed new members and provided an overview of the procedures and functions of the Community Planning Advisory Committee and the roles of Committee members.

2. ELECTION OF CHAIR

It was moved, seconded, and carried that Jason Robertson be elected chair of the Community Planning Advisory Committee for this term.

3. AGENDA APPROVAL

It was moved, seconded, and carried that the Agenda of September 6, 2023, Community Planning Advisory Committee meeting be approved.

4. ADOPTION OF MINUTES

It was moved, seconded, and carried that the Minutes of May 3, 2023, Community Planning Advisory Committee meeting be approved.

5. NEW BUSINESS

None.

6. COUNCIL REFERRALS

a. Zoning Bylaw Amendment 3360-23-01 – 19 Gatacre Street

Planner Andrew Wilson provided an overview of the proposal for “funeral home” use in the lower floor of a two-storey single family dwelling on the subject property (located in the downtown). Staff explained that the use

would be site specific, would not include cremation and would not include hosting funerals on the site. Staff discussed that, in 2016, the Zoning Bylaw (No. 1860) removed “funeral home” as a permitted use in the Downtown Commercial (C-2) zone, which is why this proposal requires rezoning. Staff added that parking is not a concern as no funerals will be held on-site.

The applicant Kevin Owens provided a brief overview of the proposal and answered questions from Committee members. Committee members discussed the application and asked staff to investigate the reasoning behind the 2016 Zoning Bylaw amendment that removed “funeral home” use from being permitted in the C-2 zone. Committee members were supportive of this application and noted that it aligns with the Official Community Plan’s vision for a mix of uses in the downtown area.

It was moved, seconded, and carried that the Community Planning Advisory Committee recommends that Council support the Zoning Bylaw Amendment application 3360-23-01 (19 Gatacre Street) to permit “funeral home” as a permitted principal use, subject to the condition that conducting funeral services is prohibited.

It was moved, seconded, and carried that the Community Planning Advisory Committee provides the following comments regarding Zoning Bylaw Amendment application 3360-23-01 (19 Gatacre Street):

- Committee members do not see any downside to this proposed Zoning Bylaw amendment; and
- the proposal is consistent with the objectives in the Official Community Plan for the downtown area.

b. Official Community Plan & Zoning Bylaw Amendment Application 3360-23-02 – 10750 South Watts Road

Senior Planner Julie Thompson provided an overview of the application including site specific changes to the floor space ratio (FSR) and setbacks of the I-2 zone, and a policy amendment in the South Ladysmith Area Plan, to facilitate development of a proposed industrial warehouse and offices. Staff discussed the proposed servicing including an on-site septic system, and connection to the Cowichan Valley Regional District’s (CVRD) Saltair community water system. Staff informed the Committee that this property is also within the Riparian Development Permit Area (DPA 6), and an assessment will be required at the Development Permit stage.

The applicant provided a brief introduction, answered questions from CPAC, and stated that any additional floor space would be contained within the warehouse building footprint and would not add to the total parcel coverage. There was discussion about the contradiction between the maximum parcel coverage and FSR in the I-2 zone.

Committee members discussed the application and commented on the increased impermeable surfaces contributing to more runoff and flooding

risk, and possible risks to nearby agricultural land. Committee members discussed potential conditions to consider regarding the application, including reduced parcel coverage allowance, water capture systems, tree retention, bus stop upgrades, Agricultural Land Reserve setbacks, and energy efficiency. Committee members emphasized it would be beneficial to know the intended industrial use of the proposed warehouse.

Committee members commented that the proposal seems to generally be the type of development envisioned for the South Ladysmith area, and discussed that possible challenges presented by this application include increased traffic and traffic management issues, adequate sewer systems on properties not connected to community sewer, and water retention issues based on more impermeable surfaces.

It was moved, seconded, and carried that the Community Planning Advisory Committee recommends that Council support Zoning Bylaw and OCP Amendment application 3360-23-02 (10750 South Watts Road) as presented, subject to the consideration of the following conditions:

- decrease the maximum parcel coverage of this property to 45.0%;
- add green roof, greywater capture and rainwater collection technologies to the proposal;
- ensure tree retention;
- provide upgrades to the nearby bus stop;
- establish an Agricultural Land Reserve setback for this property; and
- prioritize energy efficiency.

It was moved, seconded, and carried that the Community Planning Advisory Committee recommends that staff review the discrepancies between the floor space ratio and parcel coverage regulations in the I-2 zone.

7. MONTHLY BRIEFING

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

- 624 John Wilson Place (3360-22-09)
- 32 High Street (3060-23-03)

8. NEXT MEETING - TBD

9. ADJOURNMENT

It was moved, seconded, and carried that the meeting be adjourned at 9:35 PM.

Chair (J. Robertson)

RECEIVED:

Corporate Officer (M. O'Halloran)

Subject to Adoption

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 MOCK REFERRAL REPORT

Report Prepared By: Julie Thompson RPP, MCIP, Senior Planner
Date: November 1, 2023
File No: DP 3060-21-16
Re: Façade Development Permit Application – 431 1st Avenue

INTRODUCTION

A Façade Development Permit (DP) application has been received for the building at 431 1st Avenue to facilitate the construction of a fourth residential dwelling unit in the attic space of the building.¹ The Community Planning Advisory Committee (CPAC) is being asked to provide comments on the proposed façade DP application per the Committee's Terms of Reference.²

PROPOSAL

The building is a two-storey commercial building currently containing a restaurant (Plantitude) and retail store (White Space Living) on the first storey. Three dwelling units are located in the second storey of the building. With the addition of a fourth dwelling unit in the attic space above the second storey, the applicant is proposing to alter the exterior, including:

- Adding dormers into the roof on each of the four building elevations.
- Adding two balconies on the rear elevation.
- Replacing the roof shingles.

The proposed materials and colours will match those of the existing building: the dormers will have white horizontal “hardiplank” exterior cladding with black trim and the new roof shingles will be black. The building’s cladding materials currently consist of black horizontal siding, white stucco and black trim. See Figure 2 for proposed front elevation. See Figure 3 for existing building. See attachment for all elevations.



Figure 1 - Subject property.

¹ DP 21-16 was previously considered by CPAC on October 6, 2021. DP 21-16 was approved on January 27, 2022.

² This report is meant for practice only and has been modified from the original CPAC report from Oct. 6, 2023.



Figure 2 - Front elevation with proposed dormers.



Figure 3 - Existing building at 431 1st Ave. Photo taken September 28, 2021.

ANALYSIS:

The subject property is located in Development Permit Area 2 – Downtown (DPA 2) and Development Permit Area 4 – Multi-Unit Residential, therefore a DP must be issued prior to the proposed façade improvements. The objective of DPA 2 is to provide guidelines for:

- the form and character of development, including landscaping, and the siting, exterior design, and finish of buildings and other structures;
- the specific features of the development, machinery, equipment and systems external to the building and other structures; and
- the type and placement of trees and other vegetation in proximity to buildings and other structures to provide for energy conservation, water conservation and the reduction of greenhouse gas emissions.

Relevant DPA 4 guidelines apply where the building consists of mixed residential and commercial uses.

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, hipped roof and two-storey height.
- The building's continuous commercial use for over a century.

Table 1 summarizes the relevant DPA 2 and DPA 4 guidelines and staff observations:

Table 1: Review of DPA 2 Guidelines

Guidelines	Staff Observations
Building Design	The design of the proposed improvements complements the design of the existing building.
Roof Form: sloped roofs should provide roofline modulation to provide visual interest. Dormers supported.	The proposed dormers add roofline modulation. They do not alter the overall hipped-roof form, which will remain intact.
Windows: should be architecturally compatible with the building's style and materials.	Proposed windows are compatible with the existing windows on the second storey of the building.
Preservation, rehabilitation & restoration of heritage buildings	While dormers are proposed to be added to the hipped-roof, the overall hipped-roof form will remain intact. The building's other character defining elements will also remain intact. The proposed dormers are visually compatible with the historic design of the existing building.
Livability (DPA 4 guidelines)	Visual privacy is maintained as the windows are high and away from the street. Private, outdoor balconies are provided off the rear of the building. The proposed stair within the building is not universally accessible but is consistent with the other 3 units, which are also accessed with stairs.

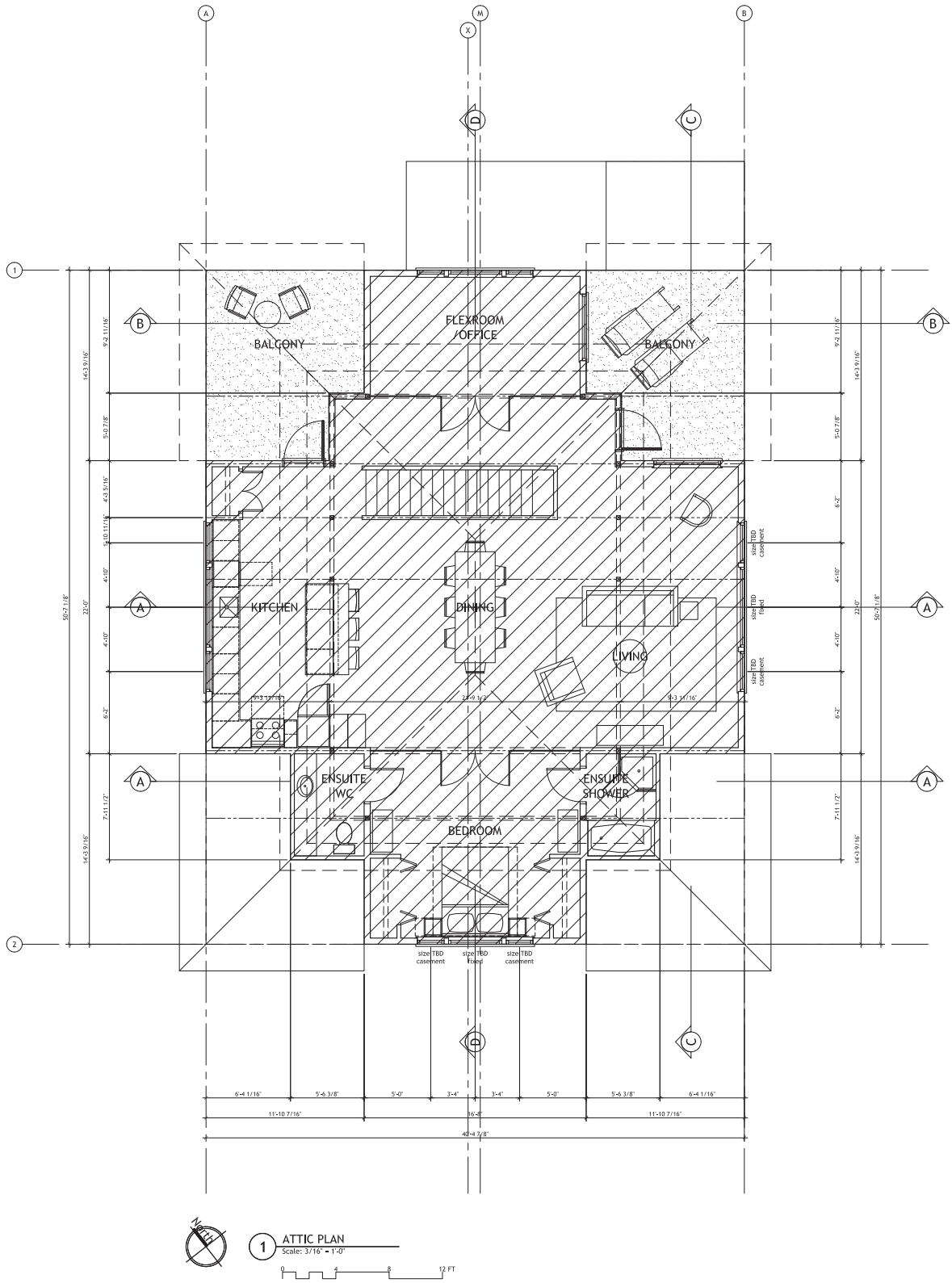
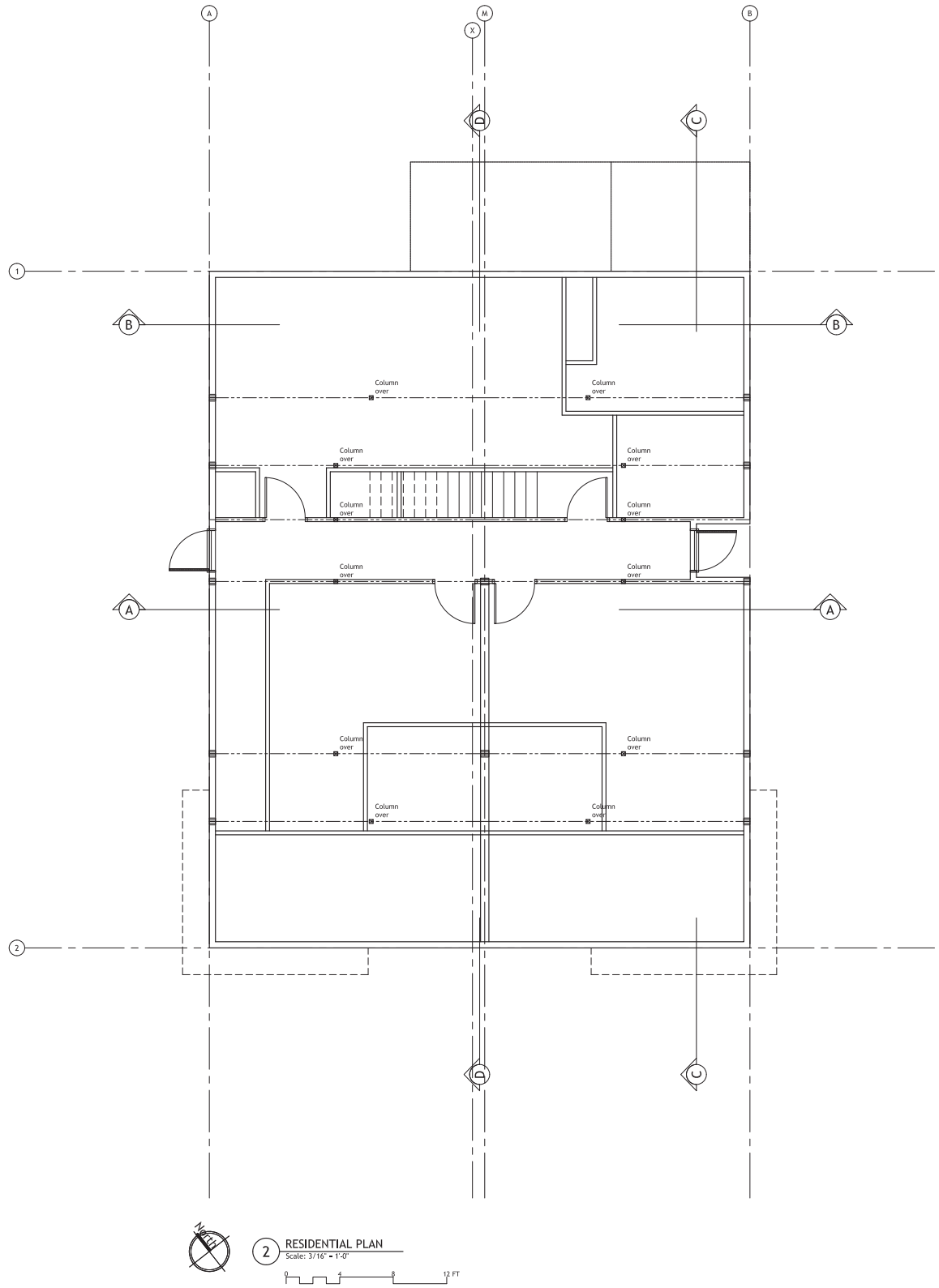
SAMPLE RESOLUTIONS:³

1. It was moved, seconded and carried that CPAC recommend that Development Permit Application 3060-21-16 for 431 1st Avenue be approved.
2. It was moved, seconded and carried that CPAC supports Development Permit Application 3060-21-16 (431 1st Avenue) in principle, and recommends the following conditions:
 - a. That the colour palette be specified in the DP.
 - b. That a rooftop garden be provided to assist livability of the dwelling units.
3. It was moved, seconded and carried that CPAC recommends that:
 - a. Development Permit Application 3060-21-16 for 431 1st Avenue not be approved as the proposed development is inconsistent with the Development Permit Area (DPA) guidelines; and
 - b. Consideration should be made to dormer size and placement to improve the proposal's consistency with the DPA guidelines:

ATTACHMENTS:

- Applicant submission
- Community Heritage Register Excerpt
- DP 21-16

³ These are sample resolutions only, to provide an idea of the types of recommendations that CPAC can make.



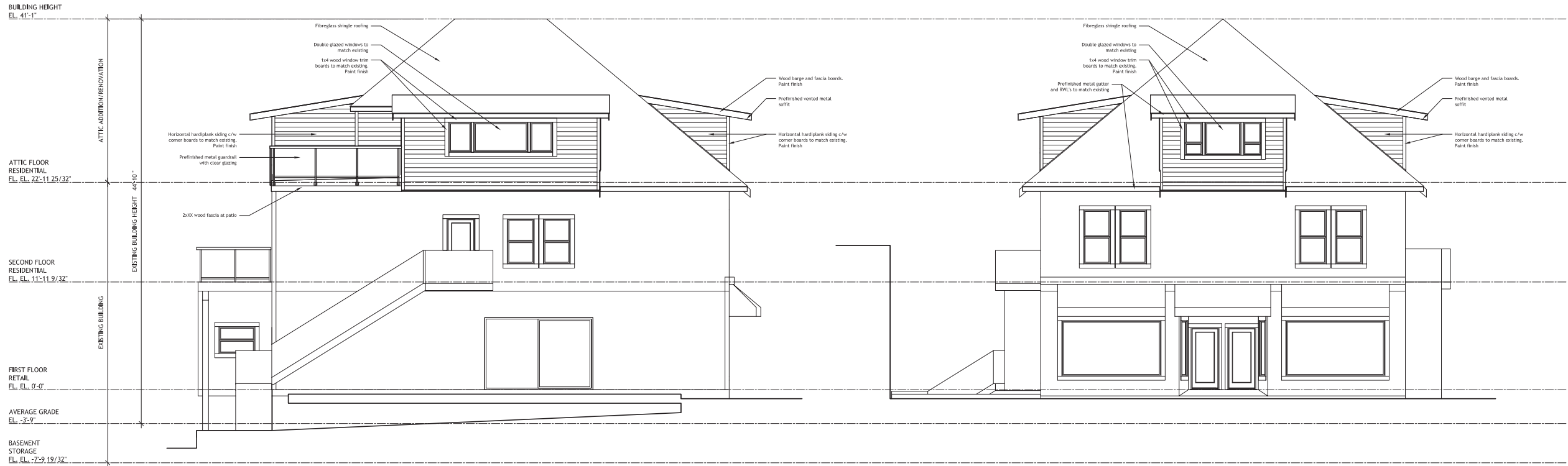
The Residences

Attic Addition
431 First Avenue
Ladysmith BC

title

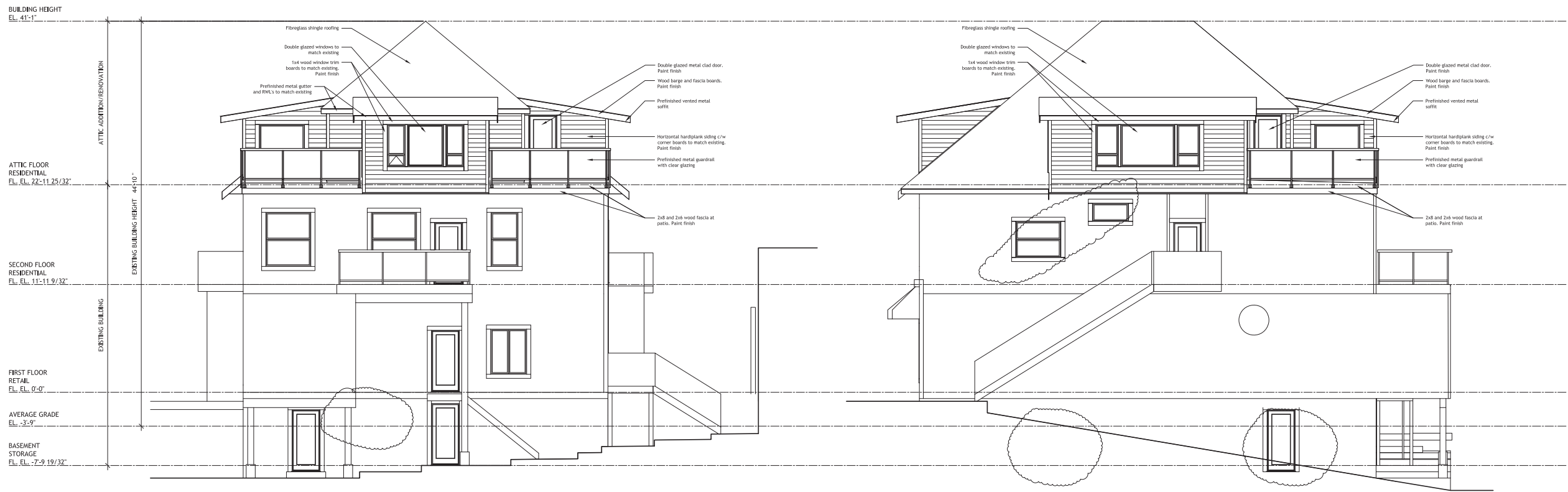
ATTIC &
RESIDENTIAL
FLOOR PLAN

date	Sept '20	scale	as shown
drawn	-	revision	0
sheet			



2 NORTH WEST ELEVATION (PATIO)
Scale: 3/16" = 1'-0"

1 SOUTH WEST ELEVATION (1ST AVE)
Scale: 3/16" = 1'-0"



3 NORTH EAST ELEVATION (REAR)
Scale: 3/16" = 1'-0"

4 SOUTH EAST ELEVATION (LANE)
Scale: 3/16" = 1'-0"

The Residences

Attic Addition
431 First Avenue
Ladysmith BC

title

ELEVATIONS

date	scale
30 Aug '21	3/16"=1.0'
drawn	revision
DJ	0
sheet	



LADYSMITH HOTEL 431 FIRST AVENUE

Added to Register in 2018

Description of Historic Place

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

Heritage Value

The Ladysmith Hotel Building's primary significance is as part of a large grouping of mainly intact historic buildings in Ladysmith's commercial core. Situated in the middle of

Ladysmith's main commercial thoroughfare, the building forms part of a long, almost continuous row of similarly proportioned historic buildings that collectively create a cohesive streetscape.

Built around 1900, the Ladysmith Hotel Building is a good example of Ladysmith's earliest commercial architecture. Just over a decade later, these types of simple, wooden buildings were replaced by more substantial, often brick buildings, which marked the end of the pioneer building era. The building was moved across the street around 1910 and, since that time, has been substantially renovated. Its original features, including a full-width verandah, were removed or obscured. The building's simple massing, hipped roof and modest ornamentation, however, remain intact and the building speaks directly to Ladysmith's earliest vernacular architecture.

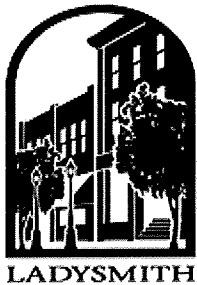
The Ladysmith Hotel Building is valued for its association with pioneer entrepreneurs Christopher and Annie Stevens. The Stevens' built and operated this hotel and the Traveller's Hotel and held considerable property in the commercial core. The building immediately to the north, now a drugstore, was originally a commercial property known as the Stephens Block.

Associated with Ladysmith's earliest development, the Ladysmith Hotel 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 Ladysmith Hotel Building include:

- the building's location within a large grouping of heritage buildings on the main commercial street
- the building's simple form, hipped roof and two-storey height
- the building's continuous commercial use for over a century



TOWN OF LADYSMITH DEVELOPMENT PERMIT

(Section 489 Local Government Act)

FILE NO: 3060-21-16

DATE: January 27, 2022

Name of Owner(s) of Land (Permittee): Karen Lynn Olenik

Applicant: Karen Olenik (Gerano Holdings Inc.)

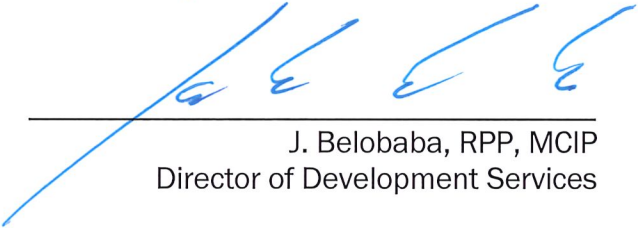
Subject Property (Civic Address): 431 1st Avenue

1. This Development Permit is subject to compliance with all of the bylaws of the Town of Ladysmith applicable thereto, except as specifically varied by this Permit.
2. This Permit applies to and only to those lands within the Town of Ladysmith described below, and any and all buildings structures and other development thereon:

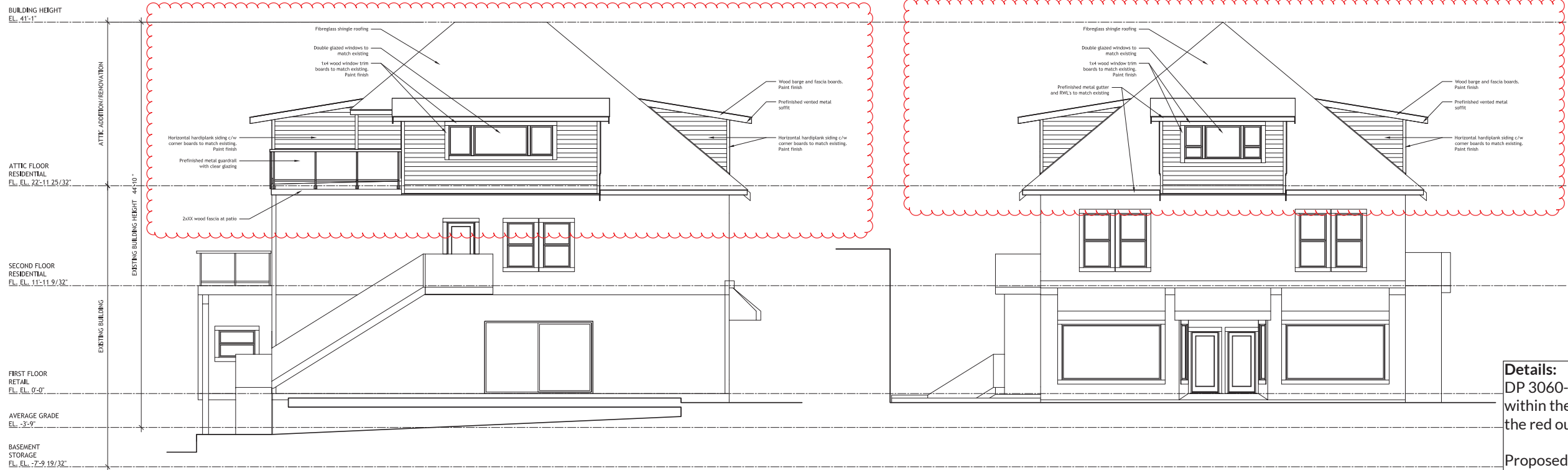
Lot 10, Block 10, District Lot 56, Oyster District, Plan 703, Except That Part Lying to the North West of a Line Drawn Parallel to the North Westerly Boundary from a Point on the South Westerly Boundary, Distant 63 Feet From the Most Westerly Corner Thereof (431 1st Avenue)
PID: 000-869-121
(referred to as the "Land")
3. This Permit has the effect of authorizing the issuance of a building permit for alterations to the exterior of a building located on the Land in accordance with the plans and specifications attached to this Permit, and subject to all applicable laws except as varied by this Permit, subject to the conditions, requirements and standards imposed and agreed to in section 5 of this Permit.
4. This Permit does not have the effect of varying the use or density of the Land specified in Town of Ladysmith Zoning Bylaw 2014, No. 1860.
5. The Permittee, as a condition of the issuance of this Permit, agrees to the exterior design and finish of the buildings as shown in **Schedule A – Elevations & Colour Palette**, attached to and forming part of this Permit.

6. Notice of this Permit shall be filed in the Land Title Office at Victoria under s.503 of the *Local Government Act*, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
7. If the Permittee does not substantially start any construction permitted by this Permit within **two years** of the date of this Permit as established by the approval date, this Permit shall lapse.
8. The plans and specifications attached to this Permit are an integral part of this Permit.
9. Despite issuance of this Permit, construction may not start without a Building Permit or other necessary permits.

APPROVED PURSUANT TO "LADYSMITH OFFICERS AND DELEGATION OF AUTHORITY
BYLAW 2016, NO. 1905" ON THE 27th DAY OF January 2022.



J. Belobaba, RPP, MCIP
Director of Development Services

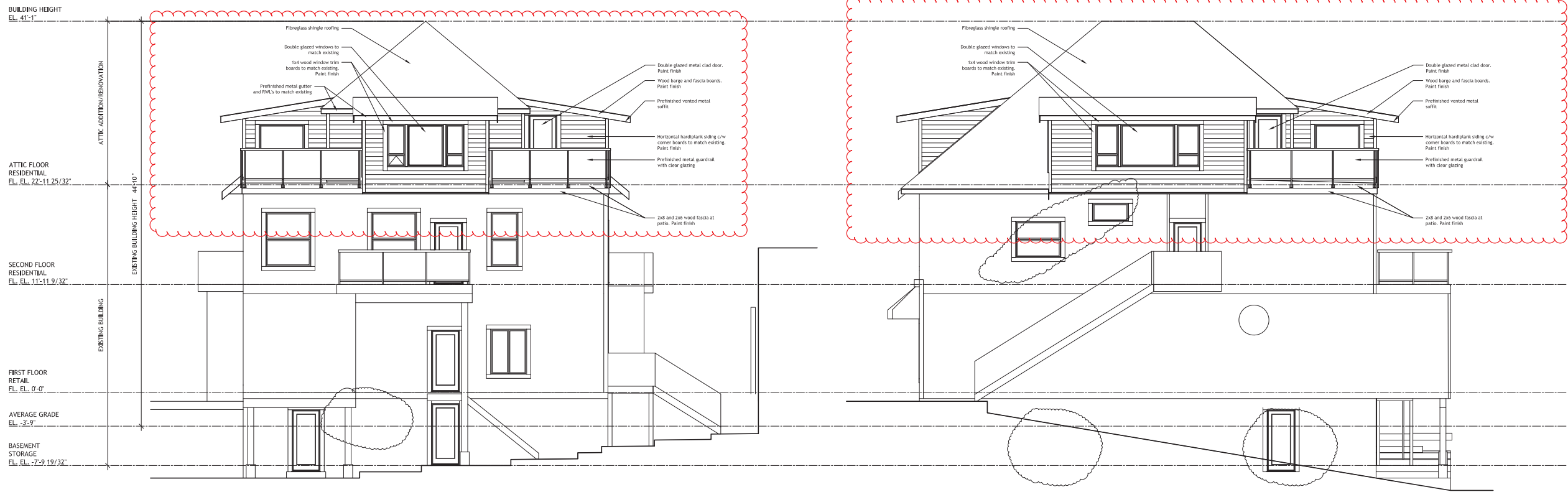


Details:
DP 3060-21-16 applies to upper storey within the attic space as identified by the red outline.

Proposed colour palette:
- White horizontal siding to be white
- Trim/accent to be black
- Roof shingles to be black

2 NORTH WEST ELEVATION (PATIO)
Scale: 3/16" = 1'-0"
12 FT

1 SOUTH WEST ELEVATION (1ST AVE)
Scale: 3/16" = 1'-0"
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The Residences

Attic Addition
431 First Avenue
Ladysmith BC

title

ELEVATIONS

date	30 Aug '21	scale	3/16"=1.0'
drawn	DJ	revision	0
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Schedule A - Elevations & Colour Palette
DP 3060-21-16
431 1st Avenue

DP# 3060-21-16
APPROVED SCHEDULE

A3.1