



AGENDA

Community Planning Advisory Committee

Wednesday, May 5, 2021 at 7:00 p.m.
via Zoom

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

1. **ACKNOWLEDGEMENT**
The Town of Ladysmith acknowledges with gratitude that this meeting takes place on the traditional, unceded territory of the Stz'uminus First Nation.
2. **AGENDA APPROVAL**
3. **ADOPTION OF MARCH 3. 2021 MINUTES***
4. **COUNCIL REFERRALS**
 - a. **Zoning Bylaw Amendment application - 3360-21-02 - 940 Esplanade***
5. **NEW BUSINESS**
 - a. **Building Schemes and Building Design Guidelines**
Jake Belobaba
 - b. **CPAC Membership - Term renewal***
Christina Hovey
6. **MONTHLY BRIEFING**
File Updates
7. **NEXT MEETING - TBD**
8. **ADJOURNMENT**

*Attachments



MINUTES

Community Planning Advisory Committee

Wednesday, March 3, 2021 at 7:00 p.m.
via Zoom

PRESENT: Chair – Jason Harrison; Members – Abbas Farahbakhsh, Brian Childs, Steve Frankel, Tamara Hutchinson; Council Liaison – Tricia McKay; Director of Development Services – Jake Belobaba; Senior Planner & Recorder – Christina Hovey; Planner – Julie Thompson

ABSENT: Members – Jennifer Sibbald, Tony Beckett,

GUESTS: Applicants – Shane Seifried (File No. 3360-20-08); Kris Kennedy (File No. 3360-20-08); Donna Hais (File No. 3360-20-09); Angela Quek (File No. 3360-20-09)

The meeting was called to order at 7:05 p.m., the Chair acknowledged with gratitude that the meeting was taking place on the traditional territories of the Stz’uminus People.

1. AGENDA APPROVAL

It was moved, seconded and carried that an update from staff on “Building Schemes and Building Design Guidelines” be added to the agenda as New Business.

It was moved, seconded and carried that the Agenda of March 3, 2021 be approved as amended.

2. ADOPTION OF MINUTES

It was moved, seconded and carried that the Minutes of February 3, 2021 be approved.

3. COUNCIL REFERRALS

a. Official Community Plan & Zoning Bylaw Amendment application 3360-20-08 – 10864 Westdowne Road

Staff (Julie Thompson) provided a brief introduction to the file. CPAC members asked questions of staff and the applicant relating to rehabilitation of the riparian area, stormwater management, past and potential contamination of the riparian area/groundwater, and the appearance of the property from the Trans-Canada Highway.

It was moved, seconded and carried that the Community Planning Advisory Committee (CPAC) supports in principle Zoning Bylaw Amendment application 3360-20-08 provided that the riparian area remediation is completed in accordance with the Environmental Impact Assessment (Aquaparian Environmental Consulting, February 8, 2021) submitted by the applicant. CPAC recommends that Council consider the following items:

- a. Best practices for developments adjacent to riparian areas, including preventing silt from entering the creek;
- b. Requiring impervious paving and an oil/water separator for the area where vehicles are proposed to be parked and stored;
- c. Requiring landscaping or screening along the road frontage.

b. **Official Community Plan & Zoning Bylaw Amendment application**
3360-20-09 – 336 Belaire Street

Staff (Christina Hovey) provided a brief introduction to the file. Donna Hais and Angela Quek gave a brief presentation including a video showing a 3D visualization of the proposed building. CPAC members asked questions of staff and the applicant relating to the community reaction to the current and previous zoning applications on the property, stormwater management, shadowing and overlook of neighbouring buildings, and street frontage considerations relating to streetlights and sidewalks.

It was moved, seconded and carried that the Community Planning Advisory Committee recommend to Council that the rezoning proceed and recommend that Council ensure that all public safety concerns be considered.

4. **NEW BUSINESS**

a. **Council Committee Structure**

Councillor Mckay provided some background information on the previous and existing Council Advisory Committee Structure including information about two studies commissioned by Council (the Development Application Review Project and the Commission and Committee Review).

CPAC members discussed the process for how the Committee receives feedback on the projects they review. Staff committed to providing updates on files through the “monthly briefing”.

b. **Building Schemes and Building Design Guidelines**

It was moved, seconded and carried that this item be referred to the next meeting of the Community Planning Advisory Committee.

5. **MONTHLY BRIEFING**

None.

6. **NEXT MEETING – TBD**

7. **ADJOURNMENT**

It was moved, seconded and carried that the meeting be adjourned at 9:12 p.m.

Chair (J. Harrison)

RECEIVED:

Corporate Officer (D. Smith)

REFERRAL REPORT

Report Prepared By: Christina Hovey, Senior Planner
Date: April 28, 2021
File No: 3360-21-02
Re: **Zoning Amendment Application for Multi-Family Residential at 940 Esplanade Avenue**

INTRODUCTION/BACKGROUND:

The property is approximately 1,010m² in total size and contains a 2-storey building with a residential appearance. According to the Ladysmith Historical Society, the 940 Esplanade building was constructed in 1907. The property is not listed on the Ladysmith Community Heritage Register.

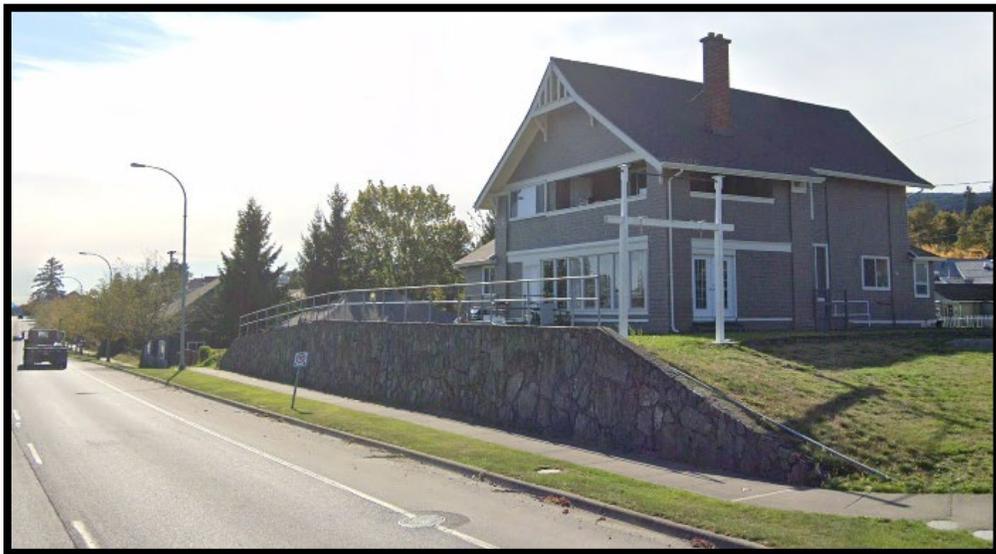


Figure 1: 940 Esplanade Avenue from the Highway

The applicant is requesting a rezoning to allow the subject property 940 Esplanade to be used for a 3-unit residential development. The units consist of a three-bedroom unit on the upper storey, and two two-bedroom units on the main storey. The building has already been converted, if this rezoning application is denied, the property will need to return to a commercial use.

The existing and proposed designations/zoning are as follows:

	Existing	Proposed
Official Community Plan Designation	Downtown Mixed Use	Downtown Mixed Use
Development Permit Area(s)	DPA 2 – Downtown	DPA 2 – Downtown
Zone	Downtown Commercial (C-2)	Downtown Commercial (C-2) with site specific provision to allow for main floor residential.

DISCUSSION/ANALYSIS:

Official Community Plan (Bylaw No. 1488):

940 Esplanade is designated Downtown Mixed Use in the Official Community Plan. The Downtown Mixed Use designation

“is intended to encourage multi-family residential uses as either an alternative to, or in combination with, commercial uses.”

The proposed zoning amendment is consistent with the Official Community Plan.

The subject property is within Development Permit Area 2 – Downtown (DPA 2). However, the conversion of the subject property to residential use may be exempt from requiring a Development Permit *if* the conversion is limited to the following:

- Only internal alterations to buildings and structures; and/or
- Minor alterations to the exterior of a building or structure that do not change the form or character of the development, such as replacement of exterior finishes using the same or similar materials and colours.

Proposed Zoning Bylaw Amendment:

The subject property is zoned Downtown Commercial (C-2) which provides for a wide range of commercial uses including office, personal services, retail, and restaurant.

The C-2 Zone does permit dwelling units, however they are only permitted in combination with a commercial use, on upper storeys or behind a commercial use. The proposed zoning amendment would allow for a residential building with no commercial use. The proposed zoning amendment would be a site specific amendment to the C-2 zone so that the building could be converted back to a commercial use in the future.

The zoning requirements for residential uses in the C-2 zone and the proposed amendments are summarized in the following table:

Summary of Zoning Requirements and Compliance/Proposed Amendments:

Provision	Current Zoning	Compliance/Proposed Zoning Amendment
Permitted Use	Dwelling Unit as an accessory to a commercial use.	<ul style="list-style-type: none"> Does not comply. Proposal to allow Multiple-Unit Dwelling as a principal permitted use.
Density	75 units per hectare	<ul style="list-style-type: none"> Complies. Proposal is approximately 30 units per hectare.
Finished Floor Area	Minimum size for a two bedroom dwelling unit is 50.0m ²	<ul style="list-style-type: none"> Complies. According to the applicant, the smaller units are approximately 83m² each.
Parking	2 spaces per unit plus one space for visitor parking.	<ul style="list-style-type: none"> To be reviewed for compliance. According to the applicant, there is adequate parking. If there are not enough spaces, the applicant can add additional spaces or can choose to pay a cash-in-lieu of parking fee, since the property is located in the downtown.
Landscaping	A landscape buffer is required, and a shade tree may be required for the parking area.	<ul style="list-style-type: none"> To be reviewed for compliance. Landscaping upgrades may be necessary.

Referral:

This application is referred to the Community Planning Advisory Committee (CPAC) in accordance with CPAC’s Terms of Reference. The Terms of Reference state that CPAC will provide feedback to applicants and recommendations to Council on amendments to the Zoning Bylaw where a change in zone, land use and/or density is proposed.

This application will also be referred:

- Internally to other Town of Ladysmith Departments (Building, Bylaw Enforcement, Engineering, Fire Department); and,
- To the Ministry of Transportation and Infrastructure (MoTI), since the property is adjacent to the Trans-Canada Highway.

MEMORANDUM

To: Community Planning Advisory Committee
From: Julie Tierney, Executive Liaison
Date: March 22, 2021
File No: 0540-20 CPAC

Our records indicate that the term for all members of the Community Planning Advisory Committee expires on June 30, 2021.

Committee members who wish to renew their term on the Community Planning Advisory Committee for another two years, will need to 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, May 14, 2021.

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 Location

- The Committee will meet once per month, if there are referrals to consider.
- Meetings will take place in the Council Chamber.
- 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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Employment & Tax Diversity | <input type="checkbox"/> Natural & Built Infrastructure |
| <input type="checkbox"/> Watershed Protection & Water Management | <input type="checkbox"/> Partnerships |
| <input checked="" type="checkbox"/> Communications & Engagement | <input type="checkbox"/> Not Applicable |

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.