

Parks, Recreation & Culture Advisory Committee
Agenda for Meeting to be held on
Wednesday, June 18th, 2025 at 7:00pm
Frank Jameson Community Centre at 810 6th Avenue

The goal of the Parks, Recreation and Culture Advisory Committee is to provide advice and recommendations to Council regarding the establishment and implementation of Parks, Recreation and Culture priorities in the Town of Ladysmith.

1. Call to Order and Acknowledgement

The Town of Ladysmith acknowledges with gratitude that this meeting takes place on the unceded territory of the Stz'uminus First Nation.

2. Agenda Approval

3. Minutes

- a) Minutes of the meeting held April 16th, 2025

4. New Business

- a) Emergency Access Lane through Brown Drive Park
 - Presentation
 - Andrew Wilson – Planner, Development Services
 - Scott Mack – Townsite Planning
 - Q &A

5. Old Business

6. Adjournment

7. Next Meeting – September 17th at 7:00pm

Minutes of the Parks, Recreation & Culture Advisory Committee
Wednesday, April 16, 2025 at 7:00pm
Frank Jameson Community Centre

COMMITTEE MEMBERS PRESENT:

Colleen Butcher
Gordon Filewych
Jacqueline Huard
Mitchel Lowe
Bruce Mason

Kim Nakahara, Chair
Jane Nettleton
Councillor Duck Paterson
Terri Merritt-Worden

STAFF PRESENT:

Chris Barfoot, Lead
Kim Cheang, Minute Taker

REGRETS:

Councillor Jeff Virtanen
Pamela Walker

**CALL TO ORDER AND
ACKNOWLEDGEMENT**

The Chair called the meeting to order at 7:05pm and acknowledged with gratitude that the meeting was taking place on the unceded territory of the Stz'uminus First Nation.

AGENDA

2025-04:
The Chair noted a proposed amendment to the agenda to include Sport Tourism Event Grant Sub-Committee (STEGS) under new business. That the Parks, Recreation & Culture Advisory Committee approved the agenda for the meeting as amended.
Motion Carried.

MINUTES

2025-05:
That the Parks, Recreation & Culture Advisory Committee approve the minutes of the February 19, 2025 meeting as presented.
Motion Carried

NEW BUSINESS

Sport Tourism Event Grant Sub-Committee (STEGS) Update

K. Nakahara provided an update on the Sport Tourism Event Grant Sub-Committee program. While eleven applicants were reviewed, none were from Ladysmith. The Committee discussed the importance of encouraging local sports groups to apply in future rounds.

Ladysmith Skatepark Feasibility Report

The Committee reviewed a copy of the Ladysmith Skatepark Feasibility Report and C. Barfoot provided an overview.

OLD BUSINESS

Rutti Park Plan

- The Committee reviewed the three proposed schematic concept park plans and suggested minor edits. The in-person public engagement

session held on May 21 replaced the regular scheduled committee meeting.

NEXT MEETING

7:00pm on Wednesday, June 18, 2025 at FJCC.

ADJOURNMENT

2025-06:

That the Parks, Recreation & Culture Advisory Committee adjourn this meeting at 7:56pm.

Motion Carried

DRAFT

PRCAC REFERRAL REPORT

Report Prepared By: Andrew Wilson, Planner
Meeting Date: June 18, 2025
File No: ZBL 3360-23-10
RE: Emergency Access Lane through Brown Drive Park

EXECUTIVE SUMMARY:

A Zoning Bylaw amendment application has been received for Lot A District Lot 126 Malone Road to increase the number of permitted dwelling units from 189 to 600. Under Policy 2.52 of Part 2 of the OCP, a second emergency access/egress route is required. To meet this requirement, the developer is seeking permission to construct an emergency-only road through Brown Drive Park to connect Hunter Way with Colonia Drive. On May 20, 2025, Council referred the request for the emergency access through the park to the Parks, Recreation and Culture Advisory Committee (PRCAC). PRCAC is being asked to provide feedback regarding the proposed emergency access/egress route through the Park in accordance with the PRCAC Terms of Reference.

COUNCIL DIRECTION:

At its meeting held May 20, 2025, Council passed the following resolution:

*9.2 Emergency Access Through Brown Drive Park**CS 2025-134**That Council:*

- 1. Receive the request by the developer of Lot A District Lot 126 Oyster District Plan VIP73132 Except Part in Plan EPP23747 Malone Road to install an emergency access/egress road through Brown Drive Park;*
- 2. Refer the proposal to the Parks, Recreation & Culture Advisory Committee; and*
- 3. Defer further consideration of the request pending review by PRCAC.*

*Motion Carried***INTRODUCTION/BACKGROUND/DISCUSSION:**

Background information, discussion, and relevant application documents are described in the attached May 20, 2025 Staff Report to Council (Attachment a).

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The application has been forwarded to Engineering, the Fire Chief, Building Inspection, and Parks, Recreation and Culture Department as part of the application process.

NEXT STEPS:

Following recommendations by PRCAC, the request to construct an emergency access/egress lane through the Park will go back to Council for consideration.

ATTACHMENTS:

- a. May 20, 2025 Staff Report to Council

STAFF REPORT TO COUNCIL

Report Prepared By: Andrew Wilson, Planner
Reviewed By: Jake Belobaba, RPP, MCIP, Director of Development Services
Meeting Date: May 20, 2025
File No: ZBL 3360-23-10
Re: Emergency Access Lane through Brown Drive Park

RECOMMENDATION:

That Council

1. Receive the request by the developer of Lot A District Lot 126 Oyster District Plan VIP73132 Except Part in Plan EPP23747 Malone Road to install an emergency access/egress road through Brown Drive Park;
2. Refer the proposal to the Parks, Recreation & Culture Advisory Committee; and
3. Defer further consideration of the request pending review by PRCAC.

EXECUTIVE SUMMARY:

A Zoning Bylaw amendment application has been received for Lot A District Lot 126 Malone Road to increase the number of permitted dwelling units from 189 to 600. Under Policy 2.52 of Part 2 of the OCP, a second emergency access/egress route is required. To meet this requirement, the developer is seeking permission to construct an emergency-only road through Brown Drive Park to connect Hunter Way with Colonia Drive. For the reasons outlined herein, staff are recommending that, prior to considering the rezoning application, Council refer the proposal to the Parks, Recreation & Culture Advisory Committee (PRCAC).

PREVIOUS COUNCIL DIRECTION:

Resolution	Meeting Date	Resolution Details
CS 2023-184	July 18, 2023	Committee of the Whole Recommendations – July 11, 2023 That Council: 6. a) Endorse the Brown Drive Park Plan as presented; and b) Direct staff to include Phase 1, as described in the Brown Drive Park Plan, including up-to-date costing, with 2024 capital items for Council's consideration. <i>Motion Carried.</i>
CS 2020-247	Aug. 18, 2020	Zoning Bylaw and OCP Amendment – Lot A Malone Road: That Council refer the Zoning Bylaw and Official Community Plan amendment application No. 3360-20-03 for Lot A, Malone Road back to staff to work with the applicant to explore ways to move forward with the project within the existing zoning. <i>Motion Carried</i>

Resolution	Meeting Date	Resolution Details
CS 2014-171	May 12, 2014	Zoning Bylaw Amendment Bylaw No. 1791 That Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 88) 2012, No. 1791 be read a third time and adopted. <i>Motion Carried</i>
CS 2014-170	May 12, 2014	Official Community Plan Amendment Bylaw No. 1790 That Council adopt That Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 38) 2012, No. 1790 be read a third time and adopted. <i>Motion Carried</i>
CS 2012-360	Dec. 3, 2012	Rezoning Application – Lot A, District Lot 126 (Malone Road) That subject to any additional matters raised at the public hearing, the application by Landeca Services Inc. to amend the Official Community Plan 2003, No. 1488 and the Town of Ladysmith Zoning Bylaw 1995, No. 1160 to permit a residential development of single family, two-family, and multi-family development, be approved in principle, subject to the following conditions: That prior to the enactment of amending Bylaws 1790 and 1791 the following shall be completed to the satisfaction of the Director of Development Services: a) Preparation of the required documents to allow for the dedication to the Town, prior to the adoption of Bylaws 1790 and 1791, land containing the SPEA riparian areas. b) Preparation of the required documents to allow for the dedication of the Malone Road extension, prior to the adoption of Bylaws 1790 and 1791. c) Registration of a road reservation covenant on the title of the land under section 44 of the Community Charter to secure the future dedication and construction of Road A as a local public road, and the possible additional dedication that may be needed to accommodate for cuts, fills, and daylighting requirements. d) Registration of a section 219 covenant on the title of the land to secure the following: <ul style="list-style-type: none"> No clearing of trees and vegetation of the multi-family site until the overall development permit is approved; Provision of one serviced residential lot to 'Habitat for Humanity' prior to any subdivision of the land; Contribution of the pedestrian pathway and park staging area/entry to the Lot B, District Lot 126, Oyster District, Plan VIP73132 park site prior to issuance of a development permit or subdivision of the land; Provision of a continuous fence at the back of the single-family/two-family area bounding Lot B; A commitment to Energuide 80 energy efficient buildings; and A commitment to the construction of a minimum of 10% of the multi-family units as adaptable units. e) Consideration, in conjunction with Town staff, of practices for storm water management for the subject property; And that the Mayor and Corporate Officer be authorized to execute the Section 219 covenants. <i>Motion Carried</i>

SUBJECT PROPERTY:

The subject property is a 6.8 hectare parcel located along the edge of the municipal boundary at the west end of Malone Road (see Attachment A). The property is surrounded by Brown Drive Park to the north, single family and multi-family residential areas to the east, and single-family residential and rural undeveloped lands within the CVRD to the south and west. A BC Hydro right-of-way abuts the western parcel line.

The site is located within walking distance from the following community facilities:

- 400 m – BC Transit stops (corner of Malone Road and Dunsmuir Crescent)
- 780 m – Frank Jameson Community Centre
- 750 m – Ladysmith Secondary School
- 725 m – Ladysmith Primary School
- 950 m – Ladysmith Fire Hall
- 1000 m – Ladysmith RCMP Detachment

The subject property is currently designated Multi-Family Residential under the OCP and was rezoned in 2014 to the Comprehensive Development 3 – Malone Residential (CD-3) Zone. The CD-3 Zone permits a mix of single family, duplexes, and multi-family housing.

INTRODUCTION/BACKGROUND:

A Zoning Bylaw amendment application has been received for the subject property for the purpose of providing additional density and flexible building forms in both the multi-family areas and smaller lot areas of the existing zone. The proposed development would see an increase in the maximum number of units from 189 to 600.

In pre-application meetings, staff advised the developer that a second access was needed to comply with the emergency access requirements of the OCP. The developer initially investigated a 300 metre route from the west end of Hunter Way, along the BC Hydro corridor to the west end of Davidson Road, which was staff's preferred route. However, this route crosses private land, and the developer has indicated that they have been unable to get permission from landowners. Subsequently, the developer proposed an emergency access route through Brown Drive Park.

Policy 2.52 under Part 2 of the Official Community Plan states that :

“2.52 Subdivision and rezoning applications will be evaluated to ensure that neighbourhoods meet section 5.1.4 (Means of Access) of ‘National Fire Protection Association Standard 1141: Fire Protection Infrastructure for Land Development in Wildland, Rural and Suburban Areas’, which requires two accesses for neighbourhoods with 101-600 homes and three accesses for neighbourhoods with more than 600 homes. More stringent requirements will be considered in the wildland urban interface and other hazard lands.”

The proposed development requires a secondary access as it will have up to 600 homes. Currently the only access is via Malone Road and Hunter Way. NFPA standards allow a secondary emergency access to be a one-way lane, with a minimum width of 5.0m. This does not include drainage or the width of the subbase and shoulders. The developer is

proposing a one-way emergency access with a width of 3.0m to 3.5m, which does not meet the NFPA standard.

Although a 5.0m one-way emergency lane is supported by NFPA guidelines, due to the length and location of the route, the Fire Chief would prefer a wider, two-way route. If designed only for one-way traffic, the proposed 200m route will require traffic control during an emergency evacuation. This may delay the response of emergency vehicles and/or evacuation of residents and will take emergency responders away from their duties to provide traffic control. A two-way route would address these issues. However, it is much wider, taking up a larger footprint in the park. NFPA 1141 guidelines recommend a 7.3m minimum width for two-way access, excluding curbs and shoulders. In both a one-way and two-way configuration, maintenance or operational requirements must be considered, such as snow clearing and closing areas of the park when the emergency access is in use. Additionally, a further review of the width and grade of the parking lot staging area on Hunter Way is required to ensure vehicles can pass through this area.

Brown Drive Park is a neighbourhood park located where Brown Drive meets Colonia Drive. The Kinsmen Club of Ladysmith and community partners installed new playground equipment in phases over a decade ago. In 2022, the Town initiated a planning process for the park with an online survey and an in-person engagement BBQ. At the in-person event, stakeholders provided feedback on the park and amenity improvements. Close to 50 residents attended as well as members of community organizations, the Parks, Recreation & Culture Advisory Committee and Town staff.

The Brown Drive Park Implementation Plan (see Attachment G) identifies both short- and long-term goals and proposed park improvements. The costs to complete Phase 1 of the proposed park plan are estimated to be \$30,000 and were approved by Council on July 18, 2023. An accessible walking path around the perimeter of the park is proposed for Phase 2 and is identified as a high priority item. The park plan does not describe the width or specifications of the path; however, the pedestrian path was not intended to accommodate vehicles. The 5.0m emergency access lane width needed to accommodate one-way vehicle traffic is at least 1m wider than BC active transportation guideline recommendations for multi-use trails. It is unclear if reconfiguring the pedestrian route through the park is what stakeholders envisioned when they created the Brown Drive Park Plan.

PROPOSAL:

To meet the requirements of OCP policy 2.52 described above, the applicant is requesting permission to construct a one-way emergency access route through Brown Drive Park to connect Hunter Way to Colonia Drive (see Attachment B). During an emergency, the lane could be opened to facilitate emergency vehicle access/egress and/or as an evacuation route for residents. For the rest of the time, the lane would serve as a pedestrian/bicycle path and be closed to vehicle traffic with removable bollards or similar barriers.

The emergency access lane generally aligns with the accessible pathway in the Brown Drive Park Plan. The applicant has indicated they will work with Parks staff to find a permeable hard surface suitable for both emergency vehicles and active transportation users. The British Columbia Active Transportation Design Guide recommends pathway width of 3.0m to 4.0m for a multi-use trail through a park. The proposed 5.0m width would provide sufficient space for a bi-directional multi-use path for all ages and abilities but does not meet the 7.4m requirement for two-way vehicle traffic.

The Town does not currently have engineering standards for emergency accesses. Engineering staff have assessed standards in other jurisdictions, including the District of Saanich and the City of Nanaimo, and in consultation with the Town's Fire Chief have drafted a one-way standard which includes a 5.0m wide paved surface (5.6m with flat curbs). A two-way access road requires a minimum of 7.4m wide paved surface plus curbs and drainage.

According to Parks, Recreation & Culture staff, a culvert crossing the creek in the northern corner of the park requires upgrades whether an emergency lane is approved or not. All aspects of the route must be designed to accommodate the Town's largest fire truck and equipment. Tower 1, currently the largest fire department vehicle, has a Gross Vehicle Weight Rating (GVWR) of 34,019kg.

If approved, the developer has indicated they would construct the access/egress, including necessary culvert upgrades, at their cost. Once complete, maintaining the emergency access/egress would fall to the Town. The parking/staging area (Phase 1, Item No. 4 of the Park Implementation Plan) was secured as a contribution through the previous rezoning.

Community Contributions:

The applicant is proposing the following community contributions in exchange for the increased density and emergency access/egress through Brown Drive Park:

1. Brown Drive Park Improvements:
 - a. a cash contribution of \$50,000 for upgrades and improvements to Brown Drive Park; and
 - b. an 80 meter long, 2.0-3.0 metre-wide asphalt multi-use path connecting Colonia Drive to the playground.
2. Dedicated park of 0.81 hectares on the subject property. This area will include two rocky outcrop features and is approximately 12.5% of the subject property;
3. Public Nature Trail – construction of 650 metres of public trail including construction of a concrete staircase with resting areas;
4. Electric Vehicle Charging Infrastructure in Areas C-1, C-2, and C-3;
5. Affordable Housing:
 - a. A minimum of 10% of the total residential units within Areas C-1, C-2 and C-3 will be secured for affordable housing (ownership and/or rental).
 - b. A minimum of 30% of Area C-1 units will be designated and secured for purpose-built rental housing (affordable and/or market rental);

6. New off-site sidewalk – construction of 160m of new concrete sidewalk on the north side of Malone Road between the site and Colonia Drive;
7. Tree Planting – a minimum 2 new trees to be planted for each principal dwelling unit within Areas A & B;

The developer's proposal is described in greater detail in the following attachments:

- Project Rationale (Attachment C);
- Development Concept (Attachment D);
- Application Supplemental Submission June 27, 2024 (Attachment E); and
- Application Supplemental Submission October 21, 2024 (Attachment F).

The proposal is consistent with the OCP and section 464(3) of the *Local Government Act*, meaning the Town is prohibited from holding a public hearing for the rezoning proposal. However, the decision to allow an emergency roadway through Brown Drive Park is a discretionary decision of Council, and Council can seek resident views on the proposal prior to allowing infrastructure to be installed through the park. Given the importance of the park to the community and the potential impacts of the proposed access/egress, staff are recommending that the proposal be referred to the PRCAC, to examine the community impacts of constructing an emergency access through the park.

DISCUSSION:

Brown Drive Park is a cherished neighbourhood park, popular amongst hikers, bikers, dog walkers, and children of various age groups. As noted above, the Brown Drive Park Implementation Plan was a thorough engagement process involving many stakeholders. The Plan includes a large flat field through which the proposed access would cross. The PRCAC committee played a key role in shaping the Park plan.

Previously, a public hearing would have provided an opportunity for residents to comment on the proposed emergency access in conjunction with the rezoning proposal. However, due to recent legislation changes, a public hearing is prohibited for the rezoning application. Though generally aligned with the trail plans for the park, the proposed emergency access/egress will be substantially wider (up to 7.3 meters) and referring the proposal to the PRCAC is one mechanism for Council to consider the impacts of the emergency access/egress on the form and function of the park.

Council also faces a number of tradeoffs on this matter. A one-way access/egress has less impact on the park but reduces the effectiveness of emergency response and evacuation. Conversely, a two-way access is the ideal option for emergency response and evacuation but means a road/path far wider than needed for park use and consumes more amenity space. Unlike a pedestrian path that can be more easily rerouted, an emergency access will need to remain in place indefinitely, which may limit options for future park improvements in the large field area (e.g. sports field).

Operational considerations raise similar questions. Will the route need regular snow clearing to ensure it is available for emergency use, and how can this be done safely if people are using the park? Will the park need to be closed, or will barriers need to be put

in place if the route needs to be opened for emergency use? The PRCAC can provide useful input on all these issues.

Community Planning Advisory Committee (CPAC):

The application for rezoning was presented to CPAC on July 3, 2024 (see Attachment H). No concerns were expressed by CPAC regarding the emergency access route through the park, although a cross section and more detailed analysis of the access/egress was not available at the time. CPAC passed the following resolution:

It was moved, seconded, and carried that the Community Planning Advisory Committee recommends that Council approve Zoning Bylaw Amendment application 3360-23-10 for Lot A District Lot 126 Malone Road with consideration for the following:

- A cap on the number of single-unit and two-unit dwellings in Area C.
- Either frontloading the proposed affordable housing to earlier phases of the development or rental tenure zoning in Area C.
- Higher parcel coverage in Area C.
- Permitting fourplexes in Areas A and B.
- Fencing along the park boundary for Brown Drive Park installed prior to development.
- A minimum FSR in Area C aligned with OCP policy.
- Broadening the potential uses of the proposed \$50,000 cash contribution to allow it to be spent on other park improvements.

In response to CPAC recommendations, the applicant revised the proposal as outlined in the Supplemental Submission dated October 21, 2024 (see Attachment F).

ALTERNATIVES:

Council can choose to:

1. Deny the request for the proposed emergency access through Brown Drive Park.
2. Approve the request for the proposed emergency access through Brown Drive Park and direct staff to bring forward the rezoning application for Council consideration.
3. Hold a public hearing or another form of public engagement on the proposal for an emergency access through the park.
4. Refer the application back to CPAC.

FINANCIAL IMPLICATIONS:

If approved by Council costs to maintain the proposed emergency access/egress, which may include regular snow clearing, would fall to the Town.

LEGAL IMPLICATIONS:

Generally, dedicated park can only be used for typical park uses such as playgrounds, nature conservation, etc. However, roads through dedicated parks are generally permissible, as are multi-use pathways that can accommodate vehicles.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

As noted above, Council is prohibited from holding a public hearing on the development proposal. However, Council is free to consult with the community on the use of Town-owned parkland. Council may wish to hold a hearing or other form of public engagement to obtain public feedback on the proposed.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The application was circulated to Town departments for review and comment. Their comments are summarized below:

Table 2: Interdepartmental Referral Comments

Referred (Yes/No)	Department	Comments
Yes	Infrastructure Services	<ul style="list-style-type: none">• Width and grade of the staging area parking lot on Hunter Way will need further review.
Yes	Building Inspection	<ul style="list-style-type: none">• Any access provisions should be accepted by the Fire Department.
Yes	Parks Recreation & Culture	<ul style="list-style-type: none">• Removal of a large swath of the park field to be replaced by a 5m+ wide hard paved surface may undermine the community engagement process of the Brown Drive Park Implementation Plan. The field was identified as a key asset of the Plan.• One benefit expressed was the developer would cover the cost of the brook culvert replacement and not the Town.
No	Financial Services	N/A
No	Legislative Services/Corporate Services	N/A
Yes	Fire/Protective Services	<ul style="list-style-type: none">• A one-way emergency fire lane is not preferred and may cause problems for the Town and other stakeholders of the space.• If the Authority Having Jurisdiction (AHJ) were to permit an emergency access through Brown Drive Park, at minimum it should align with NFPA 1141 recommendations on fire lanes.• Gates are recommended for a one-way lane.• Signage would be required to address no parking at the entrances to the park and to state bridge vehicle load limits within the park.

		<ul style="list-style-type: none"> • Further review is required regarding width and grade of the parking lot staging area on Hunter Way. • If the number of households being considered is greater than 600, the development will require 3 access routes. Only one of the 3 routes shall be permitted to be restricted for emergency use only. • Other considerations if approved by Council include snow removal and wintertime maintenance and who would be responsible.
--	--	--

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|---|--|
| <input type="checkbox"/> Core Infrastructure | <input type="checkbox"/> Economy |
| <input type="checkbox"/> Official Community Plan Implementation | <input type="checkbox"/> Leadership |
| <input type="checkbox"/> Waterfront Area Plan | <input checked="" type="checkbox"/> Not Applicable |

I approve the report and recommendations.

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

- A. Subject Property Map
- B. Secondary Access Route Map
- C. Development Concept
- D. Project Rationale
- E. Application Supplemental Submission June 27, 2024
- F. Application Supplemental Submission October 21, 2024
- G. Brown Drive Park Kinsmen Playground Implementation Plan
- H. Community Planning Advisory Committee, July 3, 2024 Minutes

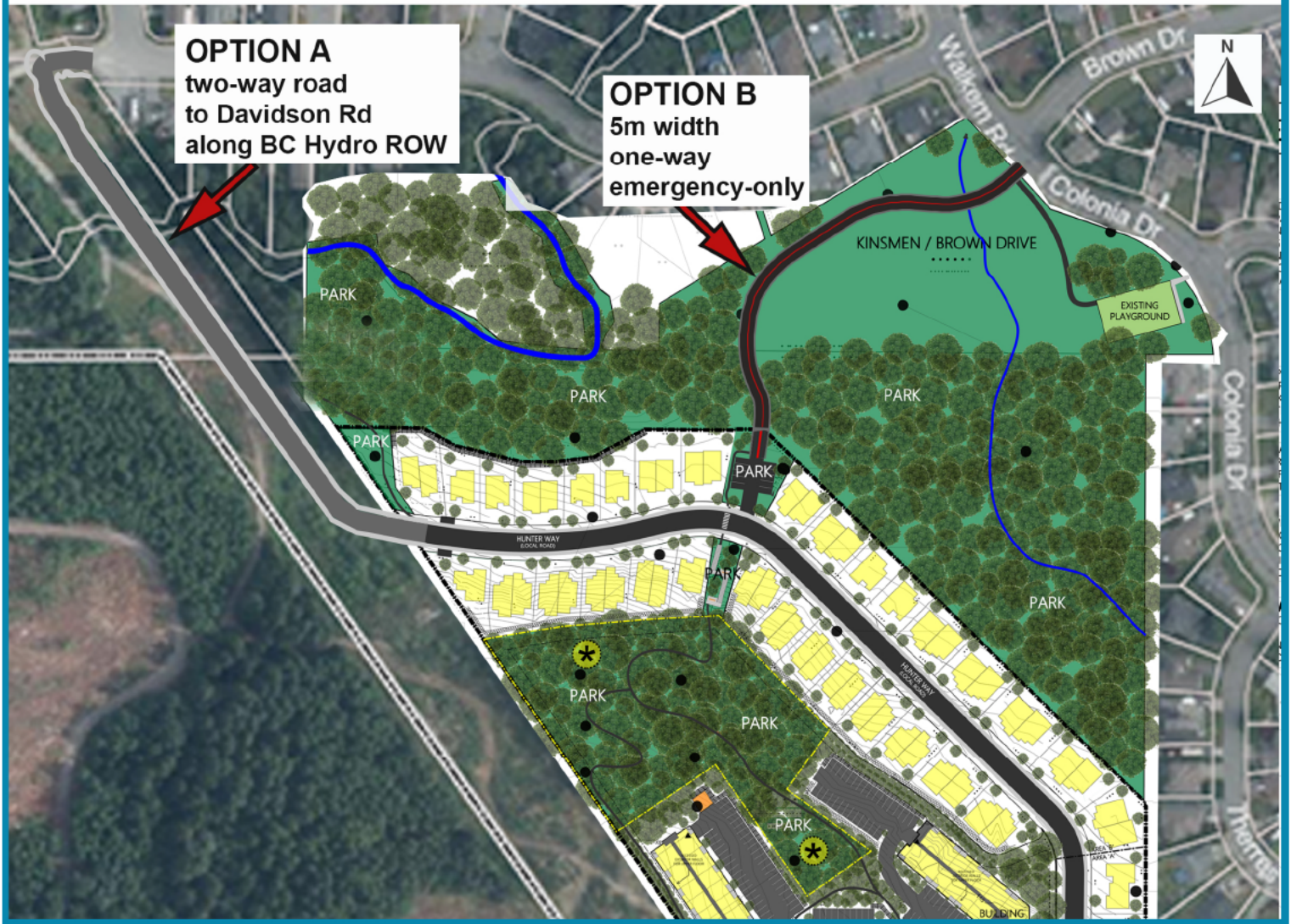
ATTACHMENT A

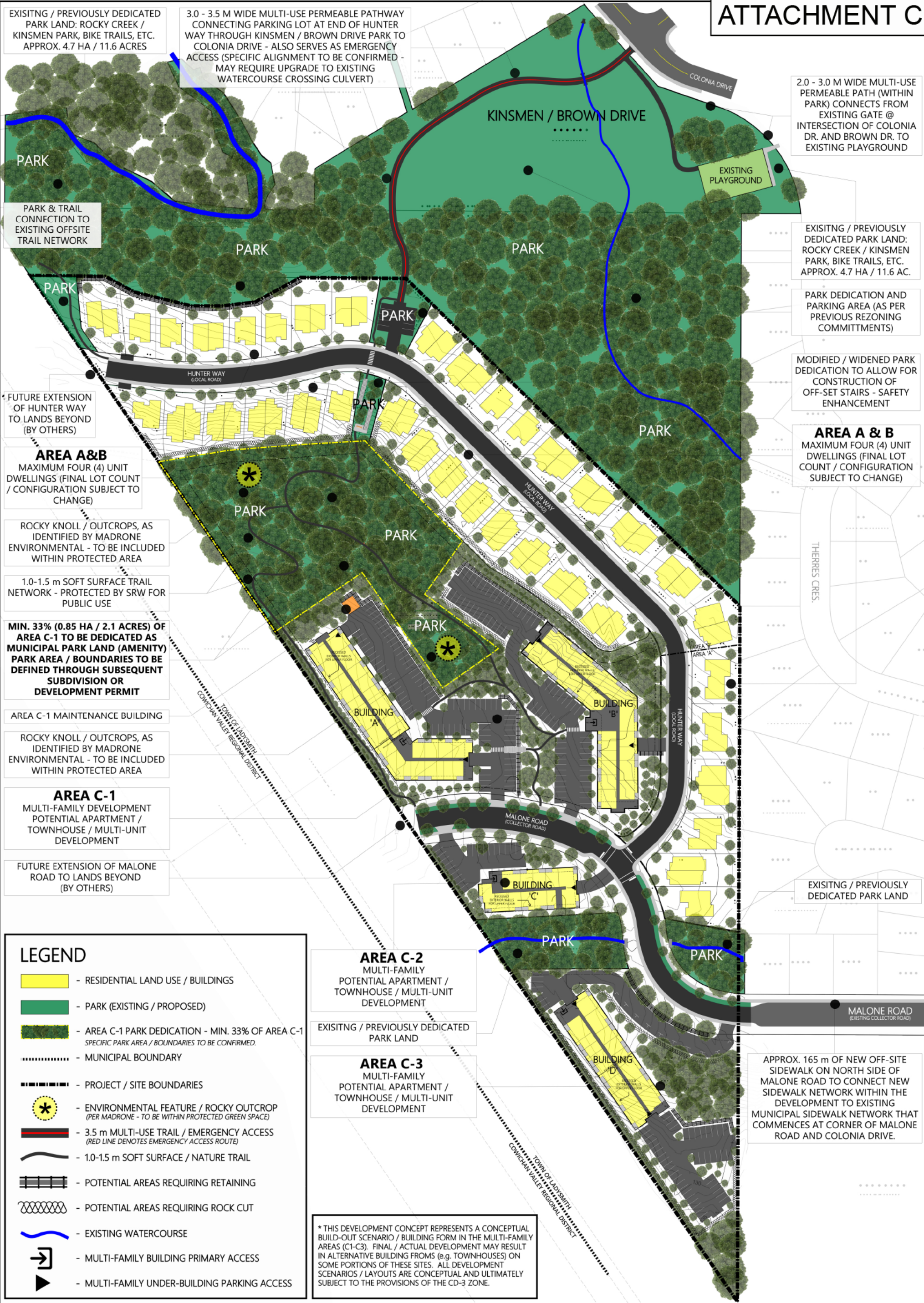


ATTACHMENT B

ACCESS OPTIONS

DISTRICT LOT 126 MALONE ROAD





NOTES:

1. THIS PLAN IS CONCEPTUAL AND PROVIDED FOR ILLUSTRATIVE / DISCUSSION PURPOSES ONLY.
2. THIS DRAWING SHOULD NOT BE RELIED UPON FOR CONSTRUCTION PURPOSES.
3. ALL PLANS AND PROPOSALS ARE PRELIMINARY AND SUBJECT TO CHANGE.
4. BASE PLAN / CONTOUR INFORMATION PROVIDED BY BENNET SURVEYING AND NEWCASTLE ENGINEERING.

SCALE: 0 5 10 15 20 30 40 50 60 (METRES)

FILE: 23-17RZ (LADYSMITH - MALONE ROAD)

DATE: 2025-03-07

VERSION / DRAWING NO. 23-17-07



MALONE RIDGE

ILLUSTRATIVE DEVELOPMENT CONCEPT

ATTACHMENT D

SCHEDULE 'H'

RECESSED
EXTERIOR WALLS
FOR UPPER FLOOR

BUILDING
'P'

800 m²
Main Floor
Commercial

MALONE RIDGE

COMPREHENSIVE DEVELOPMENT PLAN

PROJECT RATIONALE

(UPDATED)

MARCH 11 2025

MALONE ROAD
(COLLECTOR RD)

SUBMISISON PREPARED BY:

BUILD

RECESSED
EXTERIOR WALLS
FOR UPPER FLOOR

TOWNSITE
PLANNING

CONTENTS

1.0	BACKGROUND / SITE CONTEXT	2
2.0	APPLICATION HISTORY	3
3.0	OCP & ZONING CONTEXT	5
3.1	AREAS A & B	5
3.2	AREA C	6
4.0	ECOLOGICAL CONSIDERATIONS	10
5.0	PARKS & OPEN SPACE	11
6.0	SITE SERVICING / INFRASTRUCTURE	12
7.0	GREEN BUILDING & DESIGN FEATURES	15
8.0	COMMUNITY AMENITY CONTRIBUTIONS	17
9.0	SUMMARY	21

1.0 – BACKGROUND / SITE CONTEXT

The subject properties are located in the Town of Ladysmith near the western boundary between the Town of Ladysmith and the Cowichan Valley Regional District (CVRD), at the west end of Malone Road and includes a total developable area of approximately 6.8 ha (16.8 acres).

The site is currently comprised of a mix of cleared lands (approximately 1/3 of the site has been cleared for initial phases of servicing and development along with undisturbed forested lands (second growth) on the remaining 2/3 of the site (multi-family lands).

There are a number of watercourses on and around the subject property. All of these riparian / watercourse areas, included required setbacks, have been identified and protected through previous development processes.

The site has significant changes in topography / elevation through different portions of the site.

The lands directly adjoining the site to the south/southwest are encumbered by a 45.0 m wide BC Hydro right-of-way for their primary Vancouver Island Transmission corridor. Lands to the west of the BC Hydro right-of-way are rural, undeveloped, and located within the CVRD. Lands to the east are a mix of primarily existing low density residential and municipal park lands. To the southeast is a large multi-family site comprising an existing 70-unit townhouse development. To the northeast and north are municipal park lands, which comprise a mix of developed park space (Kinsmen / Brown Drive Park) and less formal park space (forested lands, bike trails and riparian areas). These lands also contain trails which connect to significant existing formal and informal trail networks on surrounding lands.

A newly constructed portion of both Malone Road (collector road) and Hunter Way (new local road), along with associated site servicing, have been constructed over the past 24 months as part of the development of the initial phases of the subdivision.

As noted above, municipal servicing is available and has been extended into the site as part of the development of the initial phases. Potential additional infrastructure requirements, including preliminary fire flow calculations, are discussed in Section 6.0 of this report and addressed as part of this submission in the attached reports and supplemental information from Newcastle Engineering (Schedules M & N).

2.0 – APPLICATION HISTORY

The subject properties have been subject to several previous development applications. Most significantly, the lands were rezoned by the previous developer in 2014, a process which created the current **Comprehensive Development Malone Residential CD-3 Zone** under Bylaw No. 1860.

As part of that rezoning application, the developer (previous) committed to a number of development conditions which were secured through the registration of Section 219 covenant. Key commitments include:

1. Provision of a road alignment / layout that generally matched the 2014 development concept, including extension of Malone Road to the western site boundaries and establishment of a local road (Hunter Way).
2. Protection of all trees and site vegetation on the lands identified as Area C (multi family lands) until such time that development has been approved / initiated on these lands through subsequent Subdivision or Development Permit applications.
3. Creation and transfer of a residential lot to Mid-Vancouver Island Habitat for Humanity at no cost.
4. Provision of a pedestrian pathway and parking staging area adjoining Brown Drive Park to connect and provide access from the new neighbourhood to existing park lands.
5. Construction of fencing along the boundary between the proposed residential lands and Brown Drive / Kinsmen Park.
6. That all residential buildings on the lands will be constructed to meet the EnerGuide 80 Energy Standard.
7. That a minimum of 10% of the multi-family units will be constructed as adaptable units as defined by the BC Building Code.
8. Provision of a comprehensive stormwater management plan with any future development.

A current copy of the title as well as the existing covenants and all other registered charges requirements are all included with this submission as part of Schedules D and E1-6. To date, all of the commitments registered against the property have either been honoured and/or have been accounted for in planning for development of the site. Of particular note, the new lot for Habitat Humanity was included in Phase 1 of the development and was transferred concurrently with registration of the subdivision.

More recently, the current owner submitted an application to the Town of Ladysmith in 2019/2020 to rezone the properties to facilitate a potential lower density development of the site. This would have involved down-zoning most of the multi-family areas to facilitate additional Single and Two Unit Dwelling development.

Council, at their August 18, 2020 meeting, provided their feedback on the proposal, and were clear in their comments and their motion that they did not support amendments to the zoning which would have the effect of *decreasing* density and producing a more conventional lower density subdivision. The Town has also subsequently developed and adopted a new OCP, which contains policies which only serve to reinforce and support the feedback provided by Council in 2020.

Townsite Planning was engaged by the developer in 2022 to develop a new vision for the project, taking into account Council's views, best planning practices, and present housing market realities.

Upon reviewing the video / minutes of the August 18, 2020, we noted a number of key themes coming out of that discussion, in terms of what Council would like to see included with the planning and zoning for these lands. Key messages from Council at that time were:

1. *"Decreased building footprints and increased building height";*
2. *"Build / expand upon the provisions outlined in the existing CD-3 zone";*
3. *"Additional / higher densities";*
4. *"Parking at ground level / under-building with residential units above";*
5. *"Protecting significant existing forest cover and environmental features on the site".*
6. *"Development of a network of trails"; and,*
7. *"Connectivity between existing parks and trails through this site to lands beyond".*

In response, we have addressed all of these key points in our updated application and believe that we have developed a plan and draft zoning that will allow for the creation of a neighbourhood that will produce positive benefits for not only the Owner, but also for the Town of Ladysmith and both future and existing residents of the neighbourhood.

3.0 – OCP & ZONING CONTEXT

The subject properties are currently designated almost entirely for **Multi-Family Residential** under the Town of Ladysmith's new OCP Bylaw No. 2200, except for a small area on the eastern boundary which is designated for **Neighbourhood Residential** in proximity to the existing residential areas to the east. The remainder of the site is designated as **Park**, with lands previously dedicated in order to protect existing riparian areas, provide community parks and open space, and in order to satisfy statutory park dedication requirements.

Of note, this application does not require or propose to amend the OCP or alter the existing OCP land-use designations. We have developed a plan and new zoning for these lands that aligns with the Town's vision, as established in the OCP.

As previously noted, the entire site is currently subject to the zoning provisions contained in the **Comprehensive Development Malone Residential (CD-3) Zone** under Bylaw No. 1860, which was developed and adopted in 2014.

We have developed a draft / updated CD-3 Zone and CD-3 Zoning Map (Schedules J & K) to reflect the requested amendments to the CD-3 zone necessary to facilitate the proposed development contemplated in our application.

Schedule I provides a detailed illustrative concept which outlines the potential form and location of development that would be permitted under the updated CD-3 zone.

This plan (Schedule I) contemplates potential apartment buildings in the multi-family areas (Area C), however, the CD-3 zone would also allow for a range of multi-family uses in these areas, and so it is entirely possible that portions of Area C would be developed for different forms of housing, such as townhouses or patio homes. These types of developments would result in lower overall densities but are still keeping with OCP policy guidance.

What remains consistent, however, is a commitment – through the proposed zoning and the amenity contributions and commitments outlined in this application – that significant portions of the multi-family lands will be retained in their natural state in order to respect existing ecological features and provide for development that is built *into*, instead of on the natural environment.

Each of the areas within the CD-3 zone, along with the proposed changes, are discussed in more detail below:

3.1 CD-3 – AREA A & AREA B

Areas A & B comprise the lands adjoining Hunter Way. The current CD-3 zone contemplates a mix of Single- and Two-Unit Dwellings in Areas A & B and currently allows for a minimum of two (2) units (SFD and secondary suite) on some lots and up to four (4) units (duplex with secondary suites) on others. In short, the key proposed changes to Areas A & B are intended to allow for the development of four (4) units on all lots, as well as increasing the range of housing forms / options (e.g.

townhouses, fourplexes, etc.). This change was strongly encouraged by the Community Planning Advisory Committee (CPAC) and aligns with the Province's mandate as established through the adoption of Bill 44 (SSMUH). These changes will significantly increase opportunities for smaller and more affordable residential units, both owned and rented.

There are also a number of other minor modifications to the CD-3 zone with regard to lot coverage and Floor Space Ratio, etc. These proposed changes are highlighted in Schedule J.

3.3 CD-3 – AREA C

Area C currently comprises the majority of the remainder of the property and is where the most substantive changes to the CD-3 zone are proposed. Area C currently contains three (3) distinct physical parcels, totalling 3.674 ha (9.08 acres) of land.

The current CD-3 Area C zoning allows only for a maximum of 103 units and 2.5 stories (10.0 m) in building height. If fully built out, this represents a density of only 28 units per ha, or 11.34 units per acre. This is extremely low density for a multi-family area.

By comparison, single-family density is generally accepted to be in the range of +/- 15-20 units per ha, whereas most multi-family designations typically encourage densities in the range of 60-100 units per ha. In addition, the significant limitations within the current zoning (as discussed below) would likely only allow for the development of townhouses within the multi-family areas.

Using an average unit size of 1400 square feet (130 square metres) for a typical 3-bedroom townhouse, the Floor Space Ratio (FSR) under current zoning would end up being approximately 0.35.

The current OCP identifies a minimum (FSR) expectation of 1.0, and up to a maximum of 2.2. Compared to the most likely development scenario under the current CD-3 zoning, the new OCP requires at least three times (3x) and as much as six times (6x) as much square footage within Area C. To be clear, the current zoning falls well short of and does not align with the Town of Ladysmith's OCP policies for multi-family areas.

Also, as noted, the current CD-3 zoning only allows for a maximum building height of 10 metres (2.5 stories). By comparison, The Town of Ladysmith OCP encourages building heights of up to six (6) stories (6-storey wood-frame buildings can now be constructed under the BC Building Code) in multi-family areas.

It is clear that the current zoning does not align and is not consistent with the new OCP, and that additional density and alternative building forms should be supportable in this area. Key proposed changes within the updated / draft CD-3 zone for Area C are outlined in the table below:

	EXISTING CD-3 ZONE	TOWN OF LADYSMITH OCP	DRAFT / PROPOSED CD-3 ZONE
PERMITTED USES	<ul style="list-style-type: none"> Multi-Unit Dwellings 	<ul style="list-style-type: none"> Diverse mix of residential types and tenures 	<ul style="list-style-type: none"> Multi-Unit Dwellings Townhouses Two Unit Dwellings (Max. 10%) Single Unit Dwellings (Max. 10%)
FLOOR SPACE RATIO	<ul style="list-style-type: none"> 0.66 Permitted 0.35 Estimated Actual 	<ul style="list-style-type: none"> Min. 1.0 Max. 2.2 	<ul style="list-style-type: none"> Min. 1.0 (as per OCP) Max. 2.2 (as per OCP)
BUILDING HEIGHT	<ul style="list-style-type: none"> 10 m (2.5 Stories) 	<ul style="list-style-type: none"> 6 stories 	<ul style="list-style-type: none"> 6 stories (as per OCP)
UNDERGROUND / UNDER-BUILDING PARKING	<ul style="list-style-type: none"> None required 	<ul style="list-style-type: none"> Encouraged 	<ul style="list-style-type: none"> Any building with 4 or more residential floors will be required to provide underground / under-building parking.

Table 3.3.1 – Proposed Key CD-3 Zoning Amendments

1. In accordance with OCP policy, which supports a broader range of land uses, the range of potential Principal Uses in Area C (which currently permits only Multi Unit Dwellings) has been expanded to also include Townhouses, Two Unit Dwellings and Single Unit Dwellings. The purpose here is to provide for greater flexibility for a variety of different residential projects on these lands, including the possibility of apartments, townhouses and patio homes, etc. Of note, there is a limitation proposed within Area C on the number of Single Unit and Duplex Dwellings (max. 10%) in order to discourage this use generally, utilizing it only where site limitations warrant consideration (e.g. on a patio home site where site limitations might only facilitate or allow for one or two additional units). The focus in this area is clearly on apartment and townhouse style developments.
2. In accordance with OCP policy, the maximum building height in the CD-3 zone has been increased to the lesser of 21.0 m or 6 stories. Of note, for any building (apartment) that contains either 5 or 6 stories, we have suggested that the upper floor of the building must be setback at least 1.5 m from the face of the remainder of the building in order to create enhanced building articulation and reduce the impact of massing.

3. In accordance with OCP policy, which encourages the use of underground / underbuilding parking, for any building within Area C that contain 4 or more floors of residential use, the building footprint must be designed to accommodate underground / under-building parking (except for common and mechanical areas).
4. There are also a number of other minor modifications to the CD-3 zone with regard to lot coverage, parcel area, etc. These proposed changes are highlighted in Schedule J.

Ultimately, there are many reasons that we believe that Council should support the proposed zoning amendments and the resulting development potential that they would create. There are dozens of OCP policies which support our application, however it is not feasible to address each policy specifically. As stated earlier in this report, every effort has been made to incorporate and implement critical OCP policies into every aspect of our submission.

Some of the key reason that we believe this application is supportable include:

- Perhaps most importantly, the proposed land uses and densities are fully supported by and consistent with the Town of Ladysmith OCP. The current zoning does not meet OCP goals and objectives related to the provision of a range of housing types, affordability and density.
- There is an existing well-built network of collector roads within the neighbourhood. Malone Road / Roberts Street and Dunsmuir Crescent / Symonds Street provide excellent vehicular access to and from this site and to numerous community facilities and services. We have also included a number of proposals within our application that will augment the existing pedestrian and cycling network, creating new and increased opportunities for active transportation for both existing and future residents in this area.
- The site is located within walking distance from the following community facilities:
 - 400 m – BC Transit stops (corner of Malone Road and Dunsmuir Crescent)
 - 780 m – Frank Jameson Community Centre
 - 750 m – Ladysmith Secondary School
 - 725 m – Ladysmith Primary School
 - 950 m – Ladysmith Fire Hall
 - 1000 m – Ladysmith RCMP Detachment
- Increased building heights (as per OCP) are proposed within this development and are located west of any existing residential development and at the western extent of the Town's current corporate limits and will have no impact on any existing or surrounding residential landowners.

- From a density perspective, the Town of Ladysmith's previous OCP targeted a density of 60 units per ha in areas designated for multi-family development. The new OCP contains policy and regulatory guidance that supports higher densities based on targeted Floor Space Ratios (Min. 1.0 – Max. 2.2) and building heights (up to six (6) stories), which could theoretically allow for 700+ residential units within Area C as shown (at a F.S.R. of 2.2).
- The illustrative concept plan provided with our application would facilitate the construction of approximately 500-600 residential units across the entire site, which reflects the unique characteristics of the site (see further below). The project, as proposed, would be in the mid-range of the density spectrum contemplated in the OCP.
- From a planning perspective, each site must be considered on its own merit and take into account the unique characteristics of the property and its surroundings. While this site has excellent access to numerous key local services (parks, transit, schools, downtown, etc.) we are in the low-mid range for multi-family density in acknowledgement of the following constraints:
 - location near the western edge of the Town's current boundary;
 - unique environmental characteristics that warrant and require protection;
 - topographical constraints; and
 - adjacency to a primarily low-density neighbourhood (noting that there is, however, a 70-unit townhouse development directly to the southeast of this site)
- In accordance with the approach outlined in the new OCP, the draft CD-3 zone does not contain a specific density cap, rather we are proposing zoning provisions which align with OCP policies related to building form (multiple forms), heights (up to 6-stories) and floor space ratio (Min. 1.0, Max. 2.2).
- Approval of this application will secure affordable rental and home ownership opportunities as well as secured purpose-built rental units. This will be achieved through our formal commitments (s.219 Covenant / Housing Agreement) as well as informally through more flexible zoning that allows for the construction of a broader range of residential unit types and sizes.

4.0 ECOLOGICAL CONSIDERATIONS

We acknowledge that the original CD-3 zoning was developed and put in place with significant consideration for broader environmental and ecological considerations. This was discussed by Council at their August 18, 2020 meeting, is a critical component of the new OCP, and is noted specifically in the current purpose statement for the CD-3 zone:

"The purpose of the Comprehensive Development 3 Zone is to accommodate a mixed residential neighbourhood with a range of housing options and densities. Emphasis is placed on protecting the natural ecosystems and landscape through comprehensive site planning."

In recognition of these important ecological considerations, the developer engaged Madrone Environmental to prepare an updated Ecological Assessment for the subject property in order to review key environmental features and provide updated recommendations for protection (see Schedule L). The report confirmed that there are no significant environmental features that require protection, such as new or previously identified riparian areas, but does acknowledge those areas that have already been protected (e.g. riparian areas / watercourses) through previous application processes.

The Ecological Assessment did identify that there are two rocky outcrops within Area C-1 that do have broader environmental value. In acknowledgement of the environmental goals outlined in the OCP, along with the previous development objectives identified for this site, we are proposing to cluster the development within Area C-1 (see Schedule I), to the southern portion of the area, allowing for protection of a minimum of 33% of that block of lands (0.85 ha / 2.1 acres) in its natural state. We had originally proposed that this would be achieved through registration of a Section 219 covenant to prevent land alteration / removal of vegetation, however, following discussion with Staff the owners have agreed that they would be prepared to dedicate these lands as municipal park as an Amenity Contribution.

In addition, we recognize that interface wildfire has become a critical consideration for all new developments, but in particular for those lands located at or near the edge of built-up urban areas, adjoining rural and forested lands.

The developer engaged Strathcona Forestry to provide a comprehensive Wildfire Assessment, in order to ensure that best practices are utilized in the planning and development of this site. This assessment is attached as Schedule O. The Wildfire Assessment provides for a series of recommendations and discusses best practices for implementation at the development and building stage in order to mitigate fire risk. The report does also recommend that a secondary / emergency access be included as part of the development, either as a gated road or trail. This issue is further discussed in Section 6.0 below.

5.0 PARKS & OPEN SPACE

The dedication and protection of park lands, environmental areas and green spaces in this area has taken place incrementally and through multiple processes over the past +/-25 years.

The 0.85 ha (2.1 acres) of land proposed to be dedicated for municipal park within Area C-1 (33% of Area C-1) represents 12.5% of the current overall development site (approx. 6.80 ha) and is in addition to the 0.36 ha (0.89 acres) (5.3%) of land previously dedicated and/or committed for park dedication and riparian protection, etc. with initial phases of development following successful rezoning in 2014.

In total, supporting this application will result in approximately 1.21 ha (3.0 acres / approximately 18% of the site) being protected through park dedication, which is approximately 3.6X greater than the

legislative park dedication requirements (5%).

Furthermore, this is also in addition to the 2.58 ha of land that was transferred to the Town of Ladysmith in approximately 2001, which allowed for a substantial expansion to the south of the Kinsmen / Brown Drive Park to protect and provide dedicated public access for forested areas with bike trails and for watercourse / riparian protection.

In total, including the commitments contained as part of our application, out of the original 10.30 ha parent parcel that existed in 2001, a total of 3.65 ha (greater than 35%) of the original lands have been or will be protected from development for park lands, riparian protection and protected green space.

We believe this represents an excellent balance between development, parks and open space and ecology.



Figure 5.1 – Neighbourhood parks and protected lands (Existing and Proposed).
Source: Bennett Land Surveying / Townsite Planning

6.0 SERVICING / INFRASTRUCTURE CONSIDERATIONS

Please see the attached Servicing Report (Schedule M) from Newcastle Engineering, which provide additional detail regarding proposed servicing and existing infrastructure and system capacities required to accommodate the proposed development.

In general, infrastructure installed to date as part of this development is sized sufficiently to accommodate the anticipated housing forms and densities included as part of this application. Subsequent to our original application submission, the Province introduced and adopted Bill 44, which resulted in the need for the Town to complete infrastructure analysis work to determine the impacts of introducing additional density. Based on this work, we are now aware of some downstream sanitary sewer capacity issues that will need to be addressed as part of the phasing of this development, recognizing that existing areas, other potential development lands, and DCC's will all also likely be part of the overall discussion regarding the timing and logistics of downstream system upgrades.

In addition, the Town identified in a pre-application meeting that provision of a secondary / emergency access may be necessary as a result of the proposed increase to the density. This was also a recommendation within the Wildfire Hazard Assessment.

Following review, we have determined that there are only two viable / potential options for emergency access:

1. The first option would be to provide for an emergency access from the west end of Hunter Way, north through the BC Hydro transmission corridor / right-of-way north to Davidson Road (approx. 300 m). We contacted BC Hydro (who hold a right-of-way over those lands) and they indicated that they had no concerns with the possibility of an emergency access located below their transmission lines. Unfortunately, when we reached out to the landowner (Timberwest / Mosaic), they indicated that they were unwilling to grant a right-of-way over their lands to facilitate the construction of an emergency access. It was very clear in their correspondence that this was a direct result of the Town's decision not to support their application for annexation to bring these lands within the Town's municipal boundaries in 2014. Efforts on our part to continue the conversation with Timberwest or seek alternatives that might allow Timberwest / Mosaic to change their position have not yielded any positive results to date.
2. The second option would be to construct an emergency access from the north side of the new park lands on the north side of Hunter Way, through Brown Drive Park, to the intersection of Colonia Drive and Brown Drive.

Our proposal would see the construction of a 3.0 - 3.5 m wide permeable surface multi-use path through the park between the two roads, that would be designed and constructed to

also accommodate an emergency vehicle. Emergency access routes are very rarely (in some cases never) used for emergency purposes, meaning that this infrastructure will act as a pedestrian and cycling connection through the park, virtually 100% of the time. It will also provide enhanced park access for Parks Operations vehicles.

As part of this commitment and in the interest of providing for enhanced connectivity and access for all ages and abilities, we have also proposed to construct a 2.0 - 3.0 m wide permeable surface multi-use path (amenity) within the park from the east end of this link, south to connect to the existing playground.

These significant active transportation amenities will allow for pedestrians, cyclists, parents with strollers and those in wheelchairs full access to the park and to connect this new neighbourhood to the existing neighbourhood to the east. These multi-use path connections also align perfectly with Council's *Brown Drive Park / Kinsmen Playground Implementation Plan (Phase 2, Item #4)* and the previous commitments for the construction of a parking / staging area along Hunter Way within Phase 3 (Phase 1, Item # 4).

We believe that no additional trees would need to be removed from the park (as this connection would be constructed along the same alignment as the underground utilities that were recently installed to service the development), however, the developer is prepared to replace any tree that was ultimately required to be removed from within the park on a 2:1 basis.

As an emergency access route, Option #2 (through the park) is significantly shorter (approx. 200 m) than Option #1 (300 m) and is a much easier route to navigate as Option #1 would have some significant topographic constraints. In the event of a potential interface wildfire, an emergency access to the east (through the park) is also much more likely to be of use and valuable than would an emergency access that is likely headed towards the source of any potential wildfire (lands to the west).

Ultimately, we believe there is a potential win-win here with Option #2 that allows for both improved public safety as well as new public amenities and enhancements to the existing park lands and neighbourhood connectivity.

The current CD-3 zoning allows for a maximum of 146 residential units and currently has no requirements for an emergency / secondary access. We also further note that a secondary access typically isn't required until there are a minimum of 150 residential units (re: Fire Underwriters Survey), therefore we anticipate that the emergency access wouldn't be required to be constructed until at least that many units had been constructed.

We note also that there is an existing culvert crossing the small watercourse (presumably also used by Parks Operations vehicles) within the park, and that the developer may need to upgrade that crossing to accommodate emergency vehicles.

Alternatively, we would request that the Town either assist us in our efforts to work with Timberwest/Mosaic or reconsider this potential requirement to provide for emergency access. It would seem to be unfair for the Town to impose a requirement for secondary access but then not be willing to work with the developer to satisfy this requirement given that the Town is directly involved in the decision-making and history related to both options.

We would also point out that, even without an emergency access connection allowing for vehicular access, there will always be an emergency access for residents between Hunter Way and Colonia Drive, by simple virtue of the existing and anticipated park lands. These are public lands and are available for public use at all times. In the event of any number of hypothetical emergency scenarios where Malone Road is completely blocked at the entrance to the development, it will always be possible for people to physically get in and out (on foot) of the development by using this connection through public lands.

7.0 PROPOSED GREEN BUILDING & DESIGN FEATURES

Green building & design considerations are a critical component of any new development proposal, as both municipal Planners and elected officials seek to balance and achieve density and affordability, while decreasing the impact that new development has on the natural environment. This development incorporates numerous green building and development features to support this goal.

Every aspect of this development has been reviewed under an environmental lens in order to determine how best to create a new neighbourhood that minimizes impact on the natural environment.

Key commitments in this regard include:

1. Clustering of development on the multi-family portions of the site in order to protect the existing forest canopy and ecological features on the site. This protection ensures that roughly 25% of the existing tree canopy within the developable area (min. 33% within Area C-1) will be protected.
2. Working with the natural topography and identification of preferred building locations and orientation within Areas C-1, C-2 and C-3 in order to minimize site disturbance and land alteration.
3. Installation of a minimum of two (2) new trees per principal unit within Areas A and B in order to re-establish a new tree canopy within the developed areas of the site over time. This is anticipated to add approximately 120-130 new trees in Area A and B. Lands within Area C (multi-family sites) will be required to provide comprehensive landscape plans – which will likely introduce hundreds of additional new trees – as part of subsequent Development Permit applications.
4. On each multi-family site (Area C-1, C-2, and C-3) projects will be designed, and infrastructure will be installed at the time of development in order to allow for the future installation of Level 2 electric vehicle chargers for each parking stall on the site.
5. As per provincial and municipal regulations, all Part 3 and Part 9 buildings are now required to be constructed to meet Step 3 of the BC Energy Step Code.
6. Protection for all watercourse and key environmental features both on and near the site.
7. Reduction of impermeable surfaces through requirement for underground/underbuilding parking for any residential building with four (4) or more residential stories.
8. Reduction of Malone Road cross-section (width) through the site in order to increase traffic safety and decrease impermeable surfaces (re: storm run-off).

9. Construction of approximately 300 m of permeable multi-use path and approximately 650 m of soft surface trail network, as well as construction of approximately 160 m of new concrete sidewalk on the north side of Malone Road from the site entrance to the intersection of Colonia Drive. These amenities will significantly enhance walkability and access to active transportation options (walking, cycling, transit) for area residents
10. Provision of comprehensive stormwater management plans with all development in order to effectively manage rain and storm water leaving the site, from both a water quality and quantity perspective.

8.0 COMMUNITY AMENITY CONTRIBUTIONS

As required by the Town of Ladysmith, we have reviewed the Town's *Community Amenity Contribution* policies, including recent updates outlined in the new OCP. The developer acknowledges that an increase in density creates increased demand on existing municipal resources and community services.

To this end, the developer is prepared to provide a number of additional amenities (beyond those already committed), which we will believe will offset the potential impact generated by an increase in density and provide for tremendous additional benefits that will enhance both the new development as well as the broader existing neighbourhood and community. To be clear, these new community amenity contributions are in addition to those already agreed upon with the previous rezoning approval in 2014.

The details and specifics of all proposed new amenities will be secured through registration of a Section 219 covenant(s) prior to adoption of the zoning bylaw amendment. In addition, all constructed amenities shall be built to municipal standards and in accordance with plans prepared by a civil engineer and shall be subject to approval for construction by the Town of Ladysmith. Proposed timing for the construction of any physical amenities is addressed with each commitment as per below:

1. EXCESS PARK DEDICATION



Figure 8.1 – Excerpt from Illustrative Site Plan identifying general location of 0.85 ha / 2.1 acres of protected green space.

Developer Commitment: As previously noted, park dedication requirements (5%) have already been satisfied for this development through previous dedications (5.3%). However, acknowledging the impact that additional density brings, the Owners are prepared to

dedicate a further 2.1 acres / 0.85 ha (minimum of 33% of Area C-1) of forested lands for natural green space and for public use.

The new park dedication area within Area C-1 will include both of the rocky knolls and will be as identified generally on the attached Illustrative Site Plan prepared by Townsite Planning Inc. This amenity is to be secured via registration of a Section 219 covenant with language outlining the minimum commitments prior to adoption of the zoning bylaw amendment. Dedication of the new park lands will occur as part of the first subdivision of the lands within Area C.

2. PUBLIC NATURAL TRAIL SYSTEM (ON-SITE)

Developer Commitment: Construction of approximately 650 metres of public trail system (1.0 - 1.5 m soft surface), within Areas B and C (dedicated park lands).



This will also include construction of an offset concrete staircase, with resting areas (benches) within the proposed park lands on the south side of Hunter Way, all as identified generally on the Illustrative Site Plan prepared by Townsite Planning Inc.

This amenity is to be completed prior to issuance of Final Occupancy of the first residential unit for lands located on Area C-1.

Figure 8.2 – Image of proposed similar natural trail through Area C-1.
Source: www.destinationwestport.com/directory/cong-forest-nature-trail

3. PUBLIC MULTI-USE PATH SYSTEM (OFF-SITE)

Developer Commitment: Construction of a 3.0-3.5-metre-wide permeable surface multi-use path (designed and constructed to also serve as an emergency access) to connect from the end of the parking area within the park lands on the north side of Hunter Way, through Kinsmen / Brown Drive Park to the intersection of Colonia Drive and Brown Drive (approx. 200 l.m.), including potential culvert crossing upgrades / replacement as required. Included also as part of this amenity will be the replacement of any tree that is required to be removed (none are anticipated to be removed) from the park to facilitate construction on a 2:1 basis.

This amenity will also include construction of a 2.0-3.0-metre-wide permeable surface multi-use path (not required for emergency access) within Kinsmen / Brown Drive Park from

the park gate at / near the Colonia Drive / Brown Drive intersection south to the existing pedestrian entrance to the park at the playground (approx. 80 l.m.).

These multi-use path amenities are to be completed prior to issuance of Final Occupancy of the 147th residential unit within the entire development area (Areas A, B, C-1, C-2 and C-3).

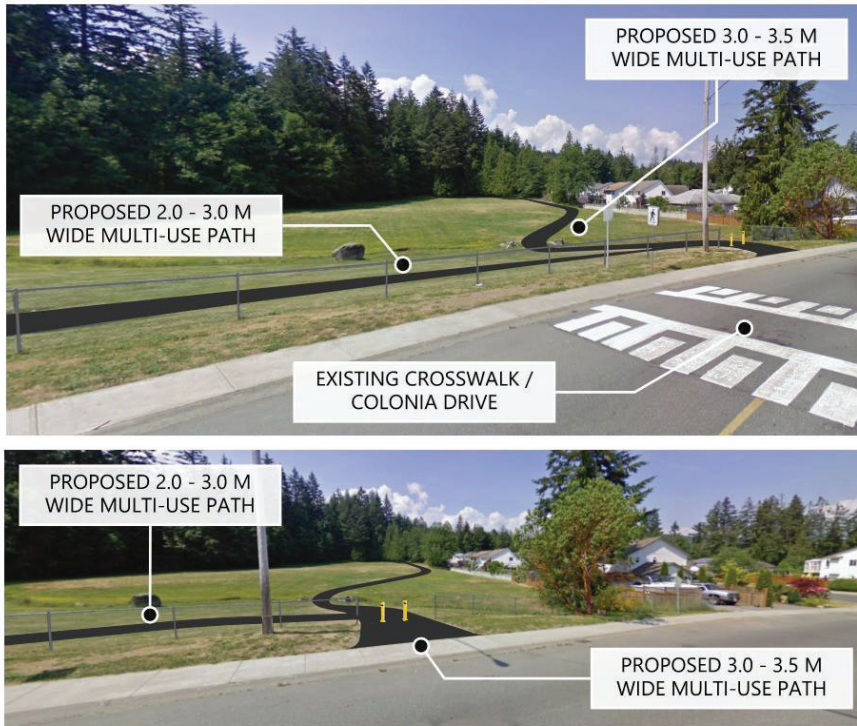


Figure 8.3 – Rendering of proposed Multi-Use Path through Kinsmen / Brown Drive Park.
Source: Google Maps / Townsite Planning Inc.

4. ELECTRIC VEHICLE CHARGING INFRASTRUCTURE

Developer Commitment: On each multi-family site parcel (Area C-1, C-2, and C-3), projects will be designed, and infrastructure will be installed at the time of development in order to allow for the future installation of Level 2 electric vehicle chargers for each parking stall on the site. This amenity is to be completed as a condition of future Building Permits for each of the projects in Area C-1, C-2 and C-3.

5. AFFORDABLE HOUSING

Developer Commitment: Within the multi-family lands (Area C-1, C-2, and C-3 collectively), a minimum of 10% of the total residential units will be secured for affordable housing, which is defined as *"a residential housing unit, either owned or rented, that is made available at a rental rate or purchase price below fair market value"*. All housing units designated as an affordable housing unit, regardless of tenure, shall remain designated as such in perpetuity, unless otherwise agreed upon by the Town of Ladysmith.

An Affordable **Rental** Housing Unit shall be rented to a qualified tenant at a rental rate that does not exceed 30% of the median household income for the Ladysmith Census Agglomeration Area according to Statistics Canada.

An Affordable **Ownership** Housing Unit shall be sold to a qualified purchaser at a purchase price not greater than 90% of the Fair Market Value, as determined by an Appraiser (AACI) within 90 days of the projected sale date of the unit.

This commitment may be combined with the previous commitment to provide for a minimum of 10% of the multi-family units as adaptable units as defined by the BC Building Code (i.e. a unit may be both adaptable and affordable and would count towards the minimum 10% threshold for both commitments). This commitment will be secured through registration of a Section 219 Covenant and/or a Housing Agreement, as part of the Zoning Bylaw adoption process.

6. NEW SIDEWALK (OFF-SITE)

Developer Commitment: Construction of approximately 160 metres of new concrete sidewalk on the north side of Malone Road, directly adjoining the existing concrete curb, between the entrance to the site and the intersection of Malone Road and Colonia Drive to eliminate this significant gap in the Town's sidewalk network. This amenity is to be completed in conjunction with construction of the servicing for the next phase of the subdivision within Area B.

7. TREE PLANTING

Developer Commitment: A minimum of two (2) new trees will be installed within the front and/or rear yard (min. one tree within front yard area) for each principal dwelling unit within Areas A and B, including provisions for a \$500 deposit payable at the time of Building Permit to ensure tree installation and survival for one (1) year). Any forfeited deposits (or where planting of the required trees is not feasible), the deposit funds will be used by the Town's Parks Department to add new trees within existing neighbourhood parks.

8. PUBLIC PARK / PLAYGROUND IMPROVEMENTS

Developer Commitment: A cash amenity contribution of \$50,000 will be made to the Town of Ladysmith to be used for any improvements / upgrades to the Brown Drive Park / Kinsmen Playground that the Town deems beneficial. This amenity is to be paid prior to issuance of the first Building Permit for lands located on Area C-1, C-2 or C-3.

9.0 – SUMMARY

In closing, we believe that the development proposed with this application represents exactly the type of development that is specifically targeted and supported in the Town of Ladysmith OCP. Our application, including the plan and draft CD-3 zone introduce and allow for a broader range of housing densities, forms and tenure not currently permitted under existing zoning.

However, of equal importance, our application also respects surrounding neighbourhoods and existing community character, provides fantastic opportunities for outdoor recreational opportunities, encourages and enhances the use of active transportation, and protects critical ecological features and functions found both on site and within nearby protected lands.

When combined with the significant amenities and benefits that the developer is offering to provide to both new and existing community and area residents, we believe that the proposed development represents a significant net benefit for the Town and neighbourhood and community residents.

Finally, in consideration of the new OCP and the extensive comments from Council at the August 18, 2020 meeting – where it was clear that Council envisioned greater potential for this site than was either proposed at that time or was possible under the existing CD-3 zoning – we believe that we have responded to that feedback and produced a plan that better represents Council's vision for this site and allows the community to realize the goals set out in the OCP.

We thank you sincerely for your consideration.

END OF DOCUMENT

ATTACHMENT E



**TOWNSITE
PLANNING**

P.O. BOX 160, Lantzville, BC V0R 2H0

t: (250).797.2515

e: scott@townsiteplanning.ca

June 27, 2024

Town of Ladysmith
Development Services Office
132C Roberts Street
Ladysmith, BC V9G 1A2

Our File: 22-05RZ (MALONE)

Attn: Jake Belobaba, Director of Development Services

Re: APPLICATION FOR REZONING – SUPPLEMENTAL SUBMISSION

LOT A, DISTRICT LOT 126 OYSTER DISTRICT, PLAN VIP73132, EXCEPT PART IN PLAN EPP23747

Dear Mr. Belobaba,

Please accept this letter as a supplementary submission in support of our existing application to amend the CD-3 zone within Bylaw No. 1860 in order to update a few specific considerations that have changed since our original submission was made in December 2023.

1. Protected Green Space

Further to recent conversations between yourself and the owner, we wish to confirm that the owner is prepared to dedicate the lands in a location generally identified within Area C-1 on the Illustrative Site Plan as "*Protected Green Space*", as park land to the Town of Ladysmith. We have also further reviewed our planning work and are prepared to increase the amount of the dedication from 0.77 ha / 1.9 acres (as currently identified on the Illustrative Site Plan) to a minimum of 0.81 ha / 2.0 acres. This commitment would be secured through the rezoning process as a requirement to be completed prior to issuance of the first Development Permit on Area C-1, allowing the Owner to work with the Town to refine the exact boundaries of the dedication (maintaining the minimum dedication threshold of 0.81 ha / 2.0 acres) once more detailed site planning and building locations are confirmed on the developable lands.

2. Changes to CD-3 Zone re: SSMUH / Bill 44 Requirements

On June 27, 2024, Council adopted Bylaw No. 2186, which dramatically amended the Zoning Bylaw to reflect the implementation of the requirements contained within Bill 44. As a result, the existing or default CD-3 zone has now been amended and differs from what we had

submitted in December, 2023. The implementation of Bill 44 and the adoption of Bylaw 2186 have also allowed us to consider how those changes to the CD-3 zone will affect the owner moving forward in Areas A and B. As a result, attached please find an updated submission for a draft CD-3 zone which reflects:

- a) the changes to the CD-3 zone brought into effect through Bylaw No. 2186 on June 24, 2024.
- b) the re-introduction of a "Unit Count Cap" for Area C (C1-C3). The existing CD-3 zone provides for a unit count cap of 103 units. We had previously removed that unit count cap as the Town appeared to be focused (in the new OCP) on building heights and FSR, however, for clarity / certainty, the Owner is prepared to confirm a unit count cap of 400 units for Areas C1-C3, as discussed on the illustrative site plan and the engineering servicing report included with our original application.

While we acknowledge that this represents a significant increase to the current unit count cap, it is important to consider this in the context of the new OCP. The new OCP supports a minimum FSR of 1.0 and a maximum FSR of 2.2 on these multi-family lands. Over 3.7 ha (total area) and using an average apartment unit size of +/- 900 ft², this means that the OCP would support between 370 and 800 units in Areas C1-C3. Obviously environmental and topographical constraints influence site planning, which is why we have ended up at the lower end of that spectrum, but essentially, we are requesting only roughly half of the density supported in principle by the OCP, while also offering to dedicate 0.81 ha / 2.0 acres of park land to the Town.

- c) a change to eliminate the proposed differential parcel area requirements for Areas A and B (450 m² for single family and 600 m² for duplex). The draft bylaw now reflects the recent updates to require a minimum area of 668 m² for all parcels.
- d) one additional minor adjustment that would allow for the construction of a maximum of two principal buildings in Area B only, where the parcel area is greater than 780 m². This provision does not change the permitted principal uses in Area B (Single Dwelling, Two Unit Dwelling), rather it would simply - on select lots within Phases 2-4 that meet the 780 m² area requirement – allow for the construction of two principal buildings (e.g., two duplex buildings without secondary suites, or two single dwellings with secondary suites).

We believe this change to allow for two principal buildings on selected lots (greater than 780 m²) in Area B is beneficial as it will facilitate the development of a broader mix of lot sizes, housing types and unit sizes in the development. Based on the current PLA layout, there would be a total of eleven (11)

lots that would be large enough to accommodate two principal buildings (>780 m²), and twenty-one (21) lots that would be <780m² (but >668 m²) and therefore limited to one principal building.

Maintaining the 780 m² area threshold in order to have two principal buildings will mean that Areas A and B will not have any more units that would have permitted prior to the adoption of the SSMUH regulations, as the lots that meet this area threshold are already permitted to have four (4) units. This means that the previously discussed concept of registering a covenant to restrict density in Area C in order to transfer that density to Areas A and B, would not be required.

It will also, by virtue of the minimum parcel size and the corresponding site standards, facilitate the construction of smaller and therefore more affordable duplex units (3-bedroom, single car garage, +/- 1,450 ft²). This can be achieved without compromising or exceeding any of updated zoning bylaw site standards (re: setbacks, lot coverage, building height, etc.) and it is not anticipated that any subsequent variances will be required. As currently structured, the zoning for duplexes with suites would most likely see the construction of 1,800-2,000 ft duplex units, each with a two-car garage, plus a 6-700 ft² secondary suites.

Finally, as the Strata Property Act now prohibits stratas from restricting rentals, all four (4) of these units (two duplex buildings) would be rentable, meaning there is just as much potential for rental units was with a duplex with secondary suites.

In closing, while we had been hopeful that Bylaw No. 2186 would have ultimately had a broader mix of housing types / options available, we do wish to express our acknowledgement and appreciation for the tremendous amount of work that Staff have undertaken to analyze these legislative requirements and bring forward such substantive changes to the Zoning Bylaw, including changes that benefit and introduce opportunities for the Malone Road project, in such a short time.

We look forward to working with the Town to continue to refine our application as we continue to move forward through the rezoning process. Please contact us if you have any questions or concerns regarding the information contained herein.

Sincere Regards,



Scott W. Mack, M.Arch., B.Sc. (PLAN), MCIP, RPP
Managing Partner | Registered Professional Planner

TOWNSITE PLANNING INC.
t: 250.797.2515
e: scott@townsiteplanning.ca

cc: Owners – 1250655 BC LTD.
Kailen Elander – Newcastle Engineering

ATTACHMENT F



October 21, 2024

Town of Ladysmith
Development Services Office
132C Roberts Street
Ladysmith, BC V9G 1A2

Our File: 22-05RZ (MALONE)
Your File: ZBL 23-10 Lot A Malone Road

Attn: Jake Belobaba, Director of Development Services
Andrew Wilson, Planner (File Manager)

Re: APPLICATION FOR REZONING – SUPPLEMENTAL SUBMISSION
LOT A, DISTRICT LOT 126 OYSTER DISTRICT, PLAN VIP73132, EXCEPT PART IN PLAN EPP23747

Dear Messrs. Belobaba and Wilson,

Please accept this letter as a supplementary submission in support of our existing application to amend the CD-3 zone within Bylaw No. 1860 in order to update several specific considerations that have changed subsequent to our previous submissions and updates from:

- our original submission (December 2023);
- updated letter (June 24, 2024); and,
- the Community Planning Advisory Committee (CPAC) meeting (July 3, 2024).

We recently received a copy of the minutes from the CPAC meeting and the *Brown Drive Park Kinsmen Playground Implementation Plan* and discussed the committee's recommendations with Mr. Wilson. We also attended the CPAC meeting and provided a presentation and addressed questions from the committee.

CPAC ultimately passed the following resolution containing a number of recommendations, which we have addressed below:

- It was moved, seconded, and carried that the Community Planning Advisory Committee recommends that Council approve Zoning Bylaw Amendment application 3360-23-10 for Lot A District Lot 126 Malone Road with consideration for the following:
 - A CAP ON THE NUMBER OF SINGLE-UNIT AND TWO-UNIT DWELLINGS IN AREA C.
We had previously identified a cap only on the number of single units in Area C (10%), but the Owners have no concerns with expanding the 10% restriction to include two-unit dwellings as well, as recommended by CPAC.

- **EITHER FRONTLOADING THE PROPOSED AFFORDABLE HOUSING TO EARLIER PHASES OF THE DEVELOPMENT OR RENTAL TENURE ZONING IN AREA C.**

We spent a considerable amount of time discussing this item and how best to address the recommendation in a manner that satisfies the committee's interests, and the expectations outlined in the Town's OCP. In order to address this recommendation, we would propose the following.

1. A minimum of 10% of the units within Areas C-1, C-2 and C3 will be secured for *affordable housing* (ownership and/or rental); and,
2. A minimum of 30% of the units within Area C-1 will be designated and secured for *purpose-built rental housing* (affordable and/or market rental).

We believe this represents a significant contribution to the Town's OCP objectives related to the provision of both affordable as well as secured rental tenure housing. Based on the density range supported in the OCP and the draft CD-3 zone, this would provide for 30-60 affordable homes and 60-120 secured rental units depending on final unit count.

- **HIGHER PARCEL COVERAGE IN AREA C.**

As discussed with Staff, most multi-family areas in the Town of Ladysmith Zoning Bylaw allow for a parcel coverage of 50%. The Owners have no concerns with increasing the parcel coverage in the CD-3 zone from 40% to 50%, as recommended by CPAC.

- **PERMITTING FOURPLEXES IN AREAS A AND B.**

The committee spoke at length about their desire to see a greater diversity of housing within Areas A and B, including the possibility for triplexes, fourplexes, townhouses, etc. The Owners have no concerns with this recommendation from CPAC, which will significantly expand opportunities for affordable home ownership. This also aligns with our previous request to allow for two (2) principal buildings (i.e. two duplex buildings) on parcels greater than 780 m².

This change within Areas A and B will provide for a modest increase in the potential number of units, above what is already permitted as per the zoning in place prior to the implementation of the new Small-Scale Multi-Unit Housing (SSMUH) legislation and zoning (re: downstream sanitary sewer constraints). The current PLA (based on pre-June 2024 zoning) accommodates a total of 32 lots and a maximum of 86 units in Areas A and B:

- 21 lots greater than 668 m² accommodating two (2) units each (total 42 units); and,
- 11 lots greater than 780 m² accommodating four (4) units each (total 44 units).

Based on the current draft of the updated CD-3 zone, if each of these 32 lots was fully developed with 4 units, that would result in a maximum total of 128 units, a potential increase of 42 units over and above the current zoning (max. 86 units). The current zoning for Area C allows for a maximum of 103 residential units. As per previous discussions with Staff, we would propose to register a covenant against the CD-3 lands that would limit the total unit count on a temporary basis to a maximum of 189 residential units. If the permitted density is fully

utilized in Areas A & B, this would effectively temporarily limit development within Area C to a maximum of sixty-one (61) residential units (103-42), until such time that the downstream sewer capacity constraints have been addressed.

We acknowledge that the Town would prefer to have their lawyers draft this covenant language, however we would offer the following as a general suggestion for the potential language

- *Notwithstanding provisions otherwise contained in the CD-3 Zone of the Town of Ladysmith Zoning Bylaw 2014, No. 1860, the total number of residential units permitted within the CD-3 zone (all areas) shall be limited, on a temporary basis, to a maximum of one hundred eight-nine (189) residential units.*
 - *This temporary restriction shall remain in place until such time that downstream sanitary sewer capacity constraints have been resolved to the satisfaction of the Director of Engineering for the Town of Ladysmith.*
 - *Once these downstream sanitary capacity issues have been resolved to the satisfaction of the Director of Engineering for the Town of Ladysmith, the Town shall agree to authorize a Release of this charge, at which point the provisions of the Zoning Bylaw shall prevail.*
-
- **FENCING ALONG THE PARK BOUNDARY FOR BROWN DRIVE PARK INSTALLED PRIOR TO DEVELOPMENT.**

The fencing that has already been installed aligns with the boundaries of the Phases 1 and 2 of the subdivision. There is already a commitment / requirement that this fencing be continued adjacent to the park for Phases 3 and 4 of the development, thus the Owners have no concerns with this recommendation from CPAC to ultimately establish a consistent fencing standard between the development and the park lands.
 - **A MINIMUM FSR IN AREA C ALIGNED WITH OCP POLICY.**

The Owners have no concerns the CPAC recommendation to ensure that Area C is ultimately developed to meet the minimum FSR standards identified in the OCP (minimum FSR 1.0). We would propose that the 1.0 FSR minimum be applied as an average over the three sites within Area C, which will allow for some flexibility to account for challenging topography as well as to potentially include some townhouse development within the multi-family areas.
 - **BROADENING THE POTENTIAL USES OF THE PROPOSED \$50,000 CASH CONTRIBUTION TO ALLOW IT TO BE SPENT ON OTHER PARK IMPROVEMENTS.**

The Owners are supportive of the CPAC recommendation to broaden the potential uses for the \$50,000 for improvements within Brown Drive Park. The owners would be happy to see these funds used on any one of the positive and beneficial improvements identified in the *Brown Drive / Kinsmen Playground Implementation Plan*.

ADDITIONAL ITEMS – EMERGENCY ACCESS

Further to additional discussions with Staff and having now received a copy of the *Brown Drive Kinsmen Park Implementation Plan*, we have updated our proposal for emergency access and improvements within Brown Drive Park to better align with the recent work done by the Town of Ladysmith with local residents.

We were pleased to see that our proposed emergency access routing aligns almost exactly with the proposed primary pathway connection between the Hunter Way parking lot and Colonia Drive. We understand that Staff would prefer to see this emergency access / pathway connection, along with the connection across to the playground, developed with a permeable surface (rather than asphalt as proposed) and we will work with staff to find a mutually acceptable permeable and accessible surface and alignment for these pathways at the time of development in order to meet the objectives of the *Brown Drive Kinsmen Playground Implementation Plan*.

In addition to serving as an emergency access, construction of this amenity by the Developer will essentially complete Phase 2, Item No. 4 of the Implementation Plan at no cost to the Town or taxpayers. This is in addition to construction of the parking / staging area within the park lands adjoining Hunter Way (Phase 1, Item No. 4 of the Implementation Plan), which has already been secured through the previous rezoning application.

ADDITIONAL ITEMS – AREA C TOTAL UNIT CAP

Our original application proposed to eliminate the unit cap from Area C (currently 103 units) in the draft CD-3 zone and replace it instead with regulations related to Floor Space Ratio (FSR) and building heights. Our rationale for this approach was that it matched the Town's OCP, which focusses on FSR and building heights to regulate density, rather than hard unit caps or u/ha.

Shortly before the CPAC meeting we received direction from staff that including a unit cap may be desirable and we accommodated this suggestion in our updated draft on June 28, 2024. We proposed a cap of 400 units as that aligned generally with the conceptual work that has been completed to date. At the CPAC meeting, although it did not ultimately factor into the recommendations, there was significant discussion about whether there should be a unit cap, with the committee strongly suggesting that there should not be a hard unit cap in order to allow for greater flexibility and potential additional density within the scope of the density ranges identified in the OCP.

Mr. Belobaba advised the committee that at the very least that Staff would prefer to see a cap that related to / aligned with the Fire Underwriters Survey (FUS) standard for emergency access. It is our understanding that the FUS generally recommends the following:

- *That prior to development of the 151st unit, a second access (for emergency services) to the site should be provided (in addition to primary access from Malone Road); and,*
- *That prior to development of the 601st unit, a third access (for emergency access) to and from the site should be provided (in addition to primary access from Malone Road and the first emergency / secondary access).*

In order to strike a balance between the committee and Staff preferences, the owners would propose that minimum and maximum densities in the multi-family area be established in the CD-3 zone that align with the OCP, and that a Section 219 covenant be registered against the property to establish unit counts related to the provision of emergency access in relation to established FUS standards as identified above.

CLOSING

Overall, we were very pleased with what appeared to be a strong level of overall support for this project from CPAC, and we feel that we have been able to appropriately satisfy all of the requests and recommendations from both the committee as well as Staff, with this revised and updated proposal.

We look forward to working with the Town to continue to refine our application as we continue to move forward through the rezoning process. We are eager to present our application to Council for first, second and third reading and look forward to discussing potential Council dates with Staff at your earliest convenience. Please contact us if you have any questions or concerns regarding the information contained herein.

Sincere Regards,



Scott W. Mack, M.Arch., B.Sc. (PLAN), MCIP, RPP
Managing Partner | Registered Professional Planner

cc: Owners – 1250655 BC LTD.
Kailen Elander – Newcastle Engineering

Attachments:

Appendix A – Updated List of Community Amenity Contributions / Commitments (as of October 21, 2024)
Appendix B – Updated Draft CD-3 Zone (as of October 21, 2024)
Appendix C – Updated Illustrative Site Plan (as of October 21, 2024)

Appendix A - Updated List of Community Amenity Contributions / Commitments

(as of October 21, 2024)

1. Minimum 0.85 ha (2.1 acres / 33%) Area C-1 to be dedicated as municipal park land. While the Illustrative Site Plan identifies the general area for this dedication, the specific park boundaries will be refined and confirmed through subsequent subdivision and/or Development Permit but will at a minimum include the two rocky knolls identified by Madrone Environmental.
2. Minimum 10% of all residential units in Area C1, C2 and C3 (est. 30-60 units depending on final unit count) will be secured for affordable housing, as per the definition outlined in the Ladysmith OCP.
3. Minimum 30% of all residential units in Area C-1 (est. 60-120 units depending on final unit count) will be secured for purpose-built rental housing (affordable and/or market).
4. 160 l.m. of new off-site concrete sidewalk on the north side Malone Road to connect Colonia Drive to entrance of development.
5. \$50,000 cash contribution towards park improvements identified in the *Brown Drive Kinsmen Park Implementation Plan*.
6. Approximately 650 l.m. of permeable soft surface path / trail system through new dedicated park lands and multi-family lands within Area C-1.
7. Approximately 300 l.m. of off-site accessible permeable pathway (also designed and constructed to serve as emergency access) to connect Hunter Way to Colonia Drive through Brown Drive Park, with connections to the Kinsmen Playground.
8. Infrastructure provided for future Level 2 electric vehicle charging stations for each parking stall in Area C.
9. Two (2) new trees per lot for each new parcel created in Area A and B.
10. All Part 3 and Part 9 buildings must meet Step 3 of the BC Energy Step Code (as per Provincial and municipal regulations).
11. Reduction of impermeable surfaces through requirements for underground/under-building parking for any building in Area C with four (4) or more stories and reduction to Malone Road cross-section / asphalt width (also provides for traffic calming and increased pedestrian safety).
12. Protection for all watercourses and key environmental features within and adjoining the site.
13. Provision for small-scale neighbourhood-oriented commercial uses within the proposed zoning.
14. Provision for comprehensive stormwater management plans with all development in order to effectively manage rain and storm water leaving the site from both a water quality and quantity perspective.



TOWN OF LADYSMITH

BROWN DRIVE PARK

KINSMEN PLAYGROUND
IMPLEMENTATION PLAN





Purpose of the Plan

In recent years, identifying potential uses at the park, recreational bike trails were added through a collaborative effort between the Town and the Cowichan Trail Stewardship Society Ladysmith Chapter and many youth from the community. The Ladysmith Resources Centre Association currently operates the Storybook Walk Through, a Memorandum of Understanding with the Town. Both amenities provide opportunities for families and youth to gather as community. The Kinsmen playground is the centre of most of the parks activities

Table of Contents

OVERVIEW - HISTORY OF THE PARK	2
COMMUNITY ENGAGEMENT	3
IMPLEMENTATION	6
PHASE DESCRIPTIONS & PRIORITIES	9

Town of Ladysmith



Overview

History

Brown Drive Park is a neighbourhood park situated where Brown Drive meets Colonia Drive, offering a large open green space with a small brook. The Kinsmen Club of Ladysmith with community partners installed new playground equipment in phases a decade ago and has since been titled Kinsmen Playground. According to the Town's Park Bylaws, the original name of the park is Hill Top Park and it was dedicated under this name in 1984. The community commonly refers to it as Brown Drive or Kinsmen Park.

Brown Drive Park Defining Characteristics:

- **Open Space** – Offering multiple opportunities for unstructured and structured play.
- **Kinsmen Playground** – The centre of most of the activities on the site and a popular destination for children of various age groups.
- **Small Brook** – Very popular with children and an excellent opportunity to teach children about the water cycle and the environment.
- **Storybook Walk** – A community collaboration with key community stakeholders that has become extremely popular and is an excellent example of multigenerational experiential programming.
- **Recreational Bike Trails** – A youth driven community building project involving the community, volunteers and many of the youth who ride and enjoy the trails.
- **Walking Trails** – Very popular amongst hikers, bikers and dog walkers. These trails are also an entry point that connects to the trails system beyond the Town boundary.

Emerging Themes

Considering the user experience and the overall feedback from the community, the following themes represent how Brown Drive Park can continue to be a safe, enjoyable, inviting and engaging space. They reflect the experiences people want to see and the practical applications to achieve this.



Community Engagement

The Town of Ladysmith hosted an in-person public engagement event at the Park in early summer 2022 to gather feedback on potential park and amenity improvements. The event was attended by close to 50 community members supported by Town staff and members of the Parks, Recreation & Culture Advisory Committee.

Temporary panels were installed at four key focus areas in the park: Green Space, Forest Area, Playground and Open Space. The public was encouraged to leave feedback and perspectives on improvements by leaving a notes and comments on the panels.

The public engagement approach encouraged an open dialogue by allowing the public to both review comments and make their own suggestions, ask questions and highlight their own experiences in the space. A BBQ was held in conjunction with this event.



Key Messages

- Ensuring meaningful recognition of First Nations in the park, including development of interpretive elements and hul'qumi'num language.
- Improve overall accessibility and connectivity between park amenities through pedestrian access.
- Park identification/dedication.
- Education of the water system, native plants and ecological restoration.
- Utilizing existing 'passive' and 'active' areas.
- Keeping the Park natural.
- Focus on improvements and enhancements without changing the parks atmosphere.

Implementation

EXISTING

- ① Kinsmen Playground
- ② Washrooms
- ③ Storybook Walk
- ④ Recreational Bike Trails
- ⑤ Bike Skills Terrain Trail
- ⑥ Open Play Space

PHASE 1

- ① Bridge for Safe Crossing of Small Brook
- ② Park benches
- ③ Drinking fountain
- ④ Parking/Staging Area

PHASE 2

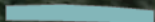
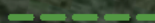

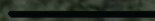
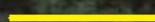
- ① Playground Improvements
- ② Seating
- ③ Small Brook Enhancements & Naturalization
- ④ New Accessible Pathway
- ⑤ Gazebo

PHASE 3

- ① New Washroom Building
- ② Connectivity to the Overall Parks and Trail Systems.

Potential Future Priorities:

- Ensuring meaningful recognition of First Nations in the park, including development of interpretive elements and hul'qumi'num language.
- Improve overall accessibility and connectivity between park amenities through pedestrian access.
- Park identification/dedication.
- Education of the water system, native plants and ecological restoration.
- Utilizing existing 'passive' and 'active' areas.

-  Creek
-  Park Boundary
-  Walking Trails
-  Bike Trails
-  Entry/Proposed Entry

Detailed Phase Descriptions

PHASE 1 1-2 YEARS

- Accessibility Audit.
- Park Benches (with arm rests located at playground, and perimeter trail park benches).
- Bike rack/repair station.
- Walking bridge over brook along main foot path in forest.
- Introduce naturalization and protection of the brook.
- Complete Recreational Bike Trails Skill Development section.
- Drinking fountain.

PHASE 2 2-3 YEARS

- Tree planting & native vegetation.
- Gazebo/picnic shelter.
- Accessible walking path around the perimeter of park.
- Continue naturalization of the brook with information on the water cycle with interpretive signage.
- Natural exercise options in the forest along main trail.
- Natural log benches along edge of brook for viewing.
- Swing for older children and accessible swing set.

PHASE 3 3-5 YEARS

- Signage and connectivity to the overall Town and Regional trail system.
- Naturalization of the western edge of the open space.
- New washroom building.



Park Amenity Priorities & Timeline

The following amenities are included in the Phasing Plan, with each identified as a high, medium or low priority and with an estimated timeline and order of magnitude cost. Some items are a high priority, but due to the potential high costs are not likely to be feasible in the short term.

HIGH	Items identified as a safety concern, must have through the community engagement integral to the success of the park.
MEDIUM	Lower risk items identified through the public engagement process that would enhance the park.
LOW	Park amenities that are desired but not integral to the success of the park.

Amenity	Priority	Timeline
Accessibility Audit	HIGH	PHASE 1
Addition Park Benches	MEDIUM	PHASE 1
Community Garden	FOR CONSIDERATION	
Bike rack and repair station	MEDIUM	PHASE 1
Walking bridge over brook along main foot path in forest	HIGH	PHASE 1
Introduce naturalization and protection of the brook	MEDIUM / ONGOING	
Complete Recreational Bike Trails Skill Development section	MEDIUM	PHASE 1
Adding drinking fountain/water bottle fill station	HIGH	PHASE 1
Add Hul'qumi'num translation for Hilltop Park	FOR CONSIDERATION	
Tree planting & native vegetation	MEDIUM	PHASE 2
Gazebo/picnic shelter	MEDIUM	PHASE 2
Accessible walking path around the perimeter of park	HIGH	PHASE 2
Continue naturalization of the brook with information (interpretive signage) on the water cycle	MEDIUM / ONGOING	
Natural exercise options in the forest along main trail	MEDIUM	PHASE 2
Natural log benches along edge of brook for viewing	LOW	PHASE 2
Add swing for older children (e.g. friendship swing)	MEDIUM	PHASE 2
Add accessible swing set	HIGH	PHASE 2
Signage and connectivity to the overall Town and Regional trail system	MEDIUM	PHASE 3
Naturalization of the western edge of the open space	MEDIUM	PHASE 3
New washroom building	HIGH	PHASE 3

Public Engagement Event

This event was an opportunity to inform the community of the park planning process and to invite their input and engage them in a discussion to identify all the positive aspects of the existing park, identify potential opportunities and to identify any existing challenges and solutions to these. Many great ideas were shared and although it would be desired to accommodate them all in the plan, key priorities were identified to be included within the plan. Below is a list of all the comments from this session that were captured through comments and on idea boards.

Forest Area

- Circuit training course through forest for all levels of fitness.
- Leave trails as natural as possible – perfect for forest learning.
- More mountain bike trails.
- Bridge over stream.
- Bike park.
- Wider, accessible trails.
- Bridge over stream.
- Trail markers.
- Allow dogs on trail and in field.
- All dogs to be in the forest area and trails (on leash of course)
- More forested areas.
- My grandkids and I love the Storybook Walk. Thank you.
- Map or guide of trails and what is private/Town land.
- Make more bike trails and maps.
- Need a map.
- Keep it natural.
- Small disc golf course
- Bike trails!
- Bicycle 'tool' area to fix bikes (like at Rathtrevor)
- Climbing things, tire swing, zip line on top of trail.
- Expand the park to include more forest beyond the development.
- Protect the natural elements. Not everything needs to be accessible by all.
- Log benches by the creek for ease of watching play.
- The trails are already pretty awesome. General trail upgrades ?
- More, bigger trails? Bridge over brook? More wheelchair accessible?
- We are so grateful for the Storybook Walk.

Green Space

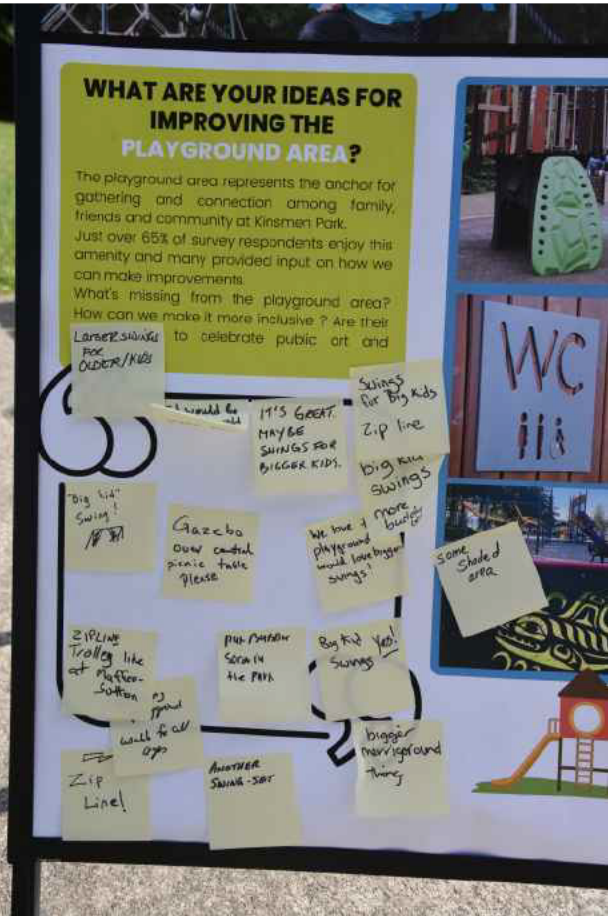
- Having more 'utilities' and support infrastructure – drinking. water fountain, covered picnic area.
- Mini splash park for kids.
- Second bathroom and spray park.
- One of the best multi-usage parks around.
- Maintain the creek as an amenity.
- Leave a natural gathering space for different impromptu activities – Frisbee, football, picnics etc.
- Revegetate the stream area more.
- Covered eating area.
- Keep natural, keep open space.
- Shelter and water bottle fill station.
- Water is great.
- Not all parks and their spaces need to be 'developed.'
- Let it be as wild (as possible).
- More benches.
- Cover the creek or put up a fence.
- Gazebos.
- Picnic shelter.
- Water fountain.
- Water park, water feature.

Open Space

- Creek great for nature learning.
- Leave nature in its natural form as much as possible.
- Leave the open field. We use it a lot. Perimeter benches.
- It would be great to have an area where dogs are allowed to be too.
- It would be great to add a water park.
- Allow dogs in the open field.
- Additional access gate at end of park near crosswalk.
- Small shelter/eat space like Transfer Beach.
- Trees on the far side provides shade for those who want it.
- Signage for leashed and voiced controlled dogs in the field.
- Two soccer goals with nets.
- Dog park area.
- Spray park.
- Community Garden.
- Leave a book, take a book.
- Fenced off leash area for dogs.
- Proper pump track at the back of the field (with maybe a mountain bike skills park).
- No dogs – leave big field for free play / multi-usage.
- More features like 'big rock' (Saltair).
- Dogs leashed under verbal control should be allowed on the field at off peak hours. It's a great space for pups.
- Love the open field and brook for open nature-based play.
- The hills are great for sledding in the winter.
- Theatre in the park for entertainment. Invite dance studies to perform at musical venues.
- Some park benches to rest and enjoy scenery and picnic tables too.
- Leashed dogs allowed (no off leash)
- Disc golf course.
- Goat farm where you can pet them.
- Water park.
- Multi-seasonal usage – sledding, leaf-play, etc.
- Dog park area.
- Picnic tables with big space for sports.
- The open green space is nice for kites, Frisbee, whatever.
- Some 'improvements' to the brook. Fruit trees along shore, little more accessible, replace culvert with a bridge.

Playground Area

- Larger swings for older kids.
- Amazing playground – usable for all ages.
- Zip line.
- Another swing set.
- Bigger merry-go-round.
- Zip line trolley like at Maffeo Sutton.
- Gazebo over central picnic table, please.
- We love the playground but would love bigger swings.
- Some shaded area.
- Big kid swings.
- It would be great to add swings for older kids.
- Swings for big kids. Zip line.
- It's great. Maybe swings for bigger kids.
- Big kid swings. More buddy benches.
- Big kid swing.
- Put (inflatable) bubble soccer in the park.





Town of Ladysmith
250-245-6424
Email: info@ladysmith.ca
www.ladysmith.ca



MINUTES

Community Planning Advisory Committee

Wednesday, July 3, 2024 at 7:00 p.m.
City Hall Council Chambers, 410 Espanade

PRESENT: Members - Jennifer Aker; John Scott; Julika Pape; Tonya Soules; Keona Wiley; Anthony Price; Council Liaison – Marsh Stevens (via Conference Call); Director of Development Services & Recorder – Jake Belobaba

ABSENT: Member - Jason Robertson

GUESTS: Applicant - Scott Mack (file no. 3360-23-10)

Director of Development Services Jake Belobaba called the meeting to order at 7:02pm.

Jake Belobaba acknowledged with gratitude that Ladysmith is located on the unceded territories of the Stz'uminus First Nation.

1. AGENDA APPROVAL

It was moved, seconded, and carried that the Agenda of July 3, 2024, Community Planning Advisory Committee meeting be approved.

2. ADOPTION OF MINUTES

It was moved, seconded, and carried that the Minutes of May 1, 2024, Community Planning Advisory Committee meeting be approved.

3. COUNCIL REFERRALS

a. Zoning Bylaw Amendment Application 3360-23-10 – Lot A District Lot 126 Malone Road

Applicant Scott Mack from Townsite Planning gave a brief presentation on proposal.

It was moved, seconded, and carried that the Community Planning Advisory Committee recommends that Council approve Zoning Bylaw Amendment application 3360-23-10 for Lot A District Lot 126 Malone Road with consideration for the following:

- A cap on the number of single-unit and two-unit dwellings in Area C.
- Either frontloading the proposed affordable housing to earlier phases of the development or rental tenure zoning in Area C.
- Higher parcel coverage in Area C.
- Permitting fourplexes in Areas A and B.

- Fencing along the park boundary for Brown Drive Park installed prior to development.
- A minimum FSR in Area C aligned with OCP policy.
- Broadening the potential uses of the proposed \$50,000 cash contribution to allow it to be spent on other park improvements.

4. **NEW BUSINESS**

a. **Election of Chair**

Keona Wiley was elected as Chair.

5. **MONTHLY BRIEFING**

- 3360-22-07 - District Proposal (Lot A Holland Creek).
- Jake Belobaba provided a brief update on the Provincial Small Scale Multi-Unit Housing legislation.

6. **NEXT MEETING - TBD**

7. **ADJOURNMENT**

It was moved, seconded, and carried that the meeting be adjourned at 8:42 PM.


Chair (Keona Wiley)

RECEIVED:


Corporate Officer (S. Bouma)