



TOWN OF LADYSMITH

A Special Meeting of the
Council of the Town of Ladysmith
will be held in Council Chambers at City Hall on

MONDAY, SEPTEMBER 13, 2010
5:00 P.M.

A G E N D A

Page

CALL TO ORDER

1. Agenda Approval
2. Bylaws

- 2.1. Town of Ladysmith Zoning Bylaw, 1995, No. 1160 Amendment Bylaw (No. 82), 2008, No. 1727
May be read a third time and adopted

1 -- 5

ADJOURNMENT

TOWN OF LADYSMITH

BYLAW NO. 1727

A bylaw to amend "Town of Ladysmith Zoning Bylaw, 1995, No. 1160"

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the zoning bylaw;

AND WHEREAS after the close of the Public Hearing and with due regard to the reports received, the Municipal Council considers it advisable to amend "Town of Ladysmith Zoning Bylaw 1995, No. 1160";

NOW THEREFORE the Council of the Town of Ladysmith in open meeting assembled enacts as follows:

A. The text of "Town of Ladysmith Zoning Bylaw 1995, No. 1160" is hereby further amended as follows:

(1) Section 4.0 "Definitions" is amended by adding the following:

(a) Adding a new definition immediately following the definition of 'aquaculture':

"Attic or roof space: means the space between the roof and the ceiling of the top storey."

(2) Section 5.0 "General Regulations" is amended by:

(a) Deleting the first sentence of section 5.5 (4) and replacing it with the following:

"5.5 (4) Unless otherwise specified in the setback regulations for each zone, an accessory building shall comply with the setback requirements in (a) and (b) below."

(b) Deleting section 5.5 (5).

(c) Deleting section 5.6 (2) and replacing it with:

"5.6 (2) Unless otherwise specified in the regulations for each zone, no accessory building or structure shall exceed 7.5 metres in height."

(3) Section 7.0 "Urban Rural Residential Zone (UR-1)" is amended by adding:

(a) "7.2 (2.1) The height of an accessory building or structure shall not:

(a) exceed 5.0 metres; except where the roof pitch is less than 4:12, then the maximum height shall be 3.5 metres;

(b) exceed one storey; and

- (c) include an attic or roof space greater than 1.5 metres in height measured from the ceiling of the storey below to the highest point of the building.”
 - (b) “7.2 (3.1) Despite 7.2(3), accessory buildings with a floor area of 10.0 square metres or less shall be sited no closer than:
 - (a) 6.0 metres to the front lot line
 - (b) 1.0 metre to either side lot line
 - (c) 1.0 metre to the rear lot line.
 - (c) “7.2 (3.2) Despite 7.2 (3), accessory buildings with a floor area greater than 10.0 square metres shall be sited no closer than:
 - (a) 6.0 metres to the front lot line
 - (b) 1.5 metres to either side lot line
 - (c) 1.5 metres to the rear lot line.
 - (d) “7.2 (6.1) The maximum gross floor area of an accessory building shall not exceed 45 square metres.”
- (4) Section 8.0 “Suburban Residential Zone (R-1)” is amended by adding:
 - (a) “8.2 (2.1) The height of an accessory building or structure shall not:
 - (a) exceed 5.0 metres; except where the roof pitch is less than 4:12, then the maximum height shall be 3.5 metres;
 - (b) exceed one storey; and
 - (c) include an attic or roof space greater than 1.5 metres in height measured from the ceiling of the storey below to the highest point of the building.”
 - (b) “8.2 (3.1) Despite 8.2(3), accessory buildings with a floor area of 10.0 square metres or less shall be sited no closer than:
 - (a) 6.0 metres to the front lot line
 - (b) 1.0 metre to either side lot line
 - (c) 1.0 metre to the rear lot line.
 - (c) “8.2 (3.2) Despite 8.2(3), accessory buildings with a floor area greater than 10.0 square metres shall be sited no closer than:
 - (a) 6.0 metres to the front lot line
 - (b) 1.5 metres to either side lot line
 - (c) 1.5 metres to the rear lot line.
 - (d) “8.2 (4.1) The maximum gross floor area of an accessory building shall not exceed 45 square metres.”
- (5) Section 9.0 “Medium Density Urban Residential Zone (R-1-A)” is amended by adding:

- (a) “9.2 (2.1) The height of an accessory building or structure shall not:
 - (a) exceed 5.0 metres; except where the roof pitch is less than 4:12, then the maximum height shall be 3.5 metres;
 - (b) exceed one storey; and
 - (c) include an attic or roof space greater than 1.5 metres in height measured from the ceiling of the storey below to the highest point of the building.”

- (b) “9.2 (3.1) Despite 9.2(3), accessory buildings with a floor area of 10.0 square metres or less shall be sited no closer than:
 - (a) 6.0 metres to the front lot line
 - (b) 1.0 metre to either side lot line
 - (c) 1.0 metre to the rear lot line.

- (c) “9.2 (3.2) Despite 9.2(3), accessory buildings with a floor area greater than 10.0 square metres shall be sited no closer than:
 - (a) 6.0 metres to the front lot line
 - (b) 1.5 metres to either side lot line
 - (c) 1.5 metres to the rear lot line.

- (d) “9.2 (4.1) The maximum gross floor area of an accessory building shall not exceed 45 square metres.”

- (6) Section 10.0 “Urban Residential Zone (R-2)” is amended by adding:
 - (a) “10.2 (2.1) The height of an accessory building or structure shall not:
 - (a) exceed 5.0 metres; except where the roof pitch is less than 4:12, then the maximum height shall be 3.5 metres;
 - (b) exceed one storey; and
 - (c) include an attic or roof space greater than 1.5 metres in height.”

 - (b) “10.2 (3.1) Despite 10.2(3), accessory buildings with a floor area of 10.0 square metres or less shall be sited no closer than:
 - (a) 6.0 metres to the front lot line
 - (b) 1.0 metre to either side lot line
 - (c) 1.0 metre to the rear lot line.

 - (c) “10.2 (3.2) Despite 10.2(3), accessory buildings with a floor area greater than 10.0 square metres shall be sited no closer than:
 - (a) 6.0 metres to the front lot line
 - (b) 1.5 metres to either side lot line
 - (c) 1.5 metres to the rear lot line.

 - (d) “10.2 (4.1) The maximum gross floor area of an accessory building shall not exceed 45 square metres.”

- (7) Section 11.0 “Residential Zone (R-2-A)” is amended by deleting 11.2 (5), renumbering as required, and adding:
- (a) “11.2 (2.1) The height of an accessory building or structure shall not:
 - (a) exceed 5.0 metres; except where the roof pitch is less than 4:12, then the maximum height shall be 3.5 metres;
 - (b) exceed one storey; and
 - (c) include an attic or roof space greater than 1.5 metres in height measured from the ceiling of the storey below to the highest point of the building.”
 - (b) “11.2 (3.1) Despite 11.2(3), accessory buildings with a floor area of 10.0 square metres or less shall be sited no closer than:
 - (a) 6.0 metres to the front lot line
 - (b) 1.0 metre to either side lot line
 - (c) 1.0 metre to the rear lot line.
 - (c) “11.2 (3.2) Despite 11.2(3), accessory buildings with a floor area greater than 10.0 square metres shall be sited no closer than:
 - (a) 6.0 metres to the front lot line
 - (b) 1.5 metres to either side lot line
 - (c) 1.5 metres to the rear lot line.
 - (d) “11.2 (4)(c) The maximum gross floor area of an accessory building shall not exceed 45 square metres.”
- (8) Section 15.0 “Mobile Home Park Zone (MP-1)” is amended by adding:
- (a) “15.2 (3.1) Despite 15.2 (3), accessory buildings with a floor area of 10.0 square metres or less shall be sited no closer than:
 - (a) 6.0 metres to the front lot line
 - (b) 1.0 metre to either side lot line
 - (c) 1.0 metre to the rear lot line.
 - (b) “15.2 (3.2) Despite 15.2(3), accessory buildings with a floor area greater than 10.0 square metres shall be sited no closer than:
 - (a) 6.0 metres to the front lot line
 - (b) 1.5 metres to either side lot line
 - (c) 1.5 metres to the rear lot line.
 - (c) “15.2 (4.1) The height of an accessory building or structure shall not:
 - (a) exceed 5.0 metres; except where the roof pitch is less than 4:12, then the maximum height shall be 3.5 metres;
 - (b) exceed one storey; and

- (c) include an attic or roof space greater than 1.5 metres in height measured from the ceiling of the storey below to the highest point of the building.”
- (d) “15.2 (6.1) The maximum gross floor area of an accessory building shall not exceed 45 square metres.”

CITATION

- (2) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 82), 2008, No. 1727”.

READ A FIRST TIME on the 7th day of June, 2010

READ A SECOND TIME on the 7th day of June, 2010

PUBLIC HEARING held pursuant to the provisions of the *Local Government Act*

on the 5th day of July, 2010

AMENDED AT SECOND READING

on the 7th day of September, 2010

READ A THIRD TIME, AS AMENDED,

on the day of 2010

ADOPTED

on the day of 2010

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)