

**TOWN OF LADYSMITH**

**BYLAW NO. 1983**

A bylaw to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860"

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**WHEREAS** pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Zoning Bylaw;

**AND WHEREAS** the Municipal Council considers it advisable to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860";

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

- (1) Schedule A – Zoning Bylaw Text of “Town of Ladysmith Zoning Bylaw 2014, No. 1860” is hereby amended as follows:
  - (a) Add a definition for “Residential Rental Tenure” following the definition of “Residential” as follows:
 

“**RESIDENTIAL RENTAL TENURE:** means the granting of a right to occupy a *Dwelling Unit* as living accommodation where the minimum occupancy period is thirty consecutive days, and where the *Dwelling Unit* is not owned by a *Dwelling Unit* occupant, but where regular payments are made to the owner for the use of the *Dwelling Unit*.”
  - (b) The table in Section 9.1 ‘Creation of Zones’ is amended by adding the following at the end of the Table:
 

“Community Housing Zone CD-5”
  - (c) Part 17: Comprehensive Development Zones is amended by adding a new zone as “17.5 Comprehensive Development 5 – Community Housing Zone (CD-5)” as shown in **Schedule I** which is attached to and forms part of this Bylaw.
- (2) Schedule B - Zoning Bylaw Map of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" is hereby amended as follows:
  - (a) By adding the following comprehensive development zone to the end of the ‘Zoning Designations’ list:
 

“CD-5 Community Housing”
  - (b) By placing “Comprehensive Development 5 – Community Housing Zone (CD-5)” on the subject property legally described as Lot A (DD B92367) of Block 76, District Lot 56, Oyster District, Plan 703A (314 Buller Street) as shown in **Schedule II** which is attached to and forms part of this Bylaw.

**CITATION**

- (3) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.21) 2018, No.1983”.

**READ A FIRST TIME** on the 19<sup>th</sup> day of November, 2018

**READ A SECOND TIME** on the 19<sup>th</sup> day of November, 2018

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

on the \_\_\_\_\_ day of \_\_\_\_\_,

**READ A THIRD TIME** on the \_\_\_\_\_ day of \_\_\_\_\_,

**APPROVED** pursuant to s. 52(3)(a) of the *Transportation Act*.

on the                      day of

**ADOPTED**

on the                      day of

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Mayor (A. Stone)

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Corporate Officer (J. Winter)

## Schedule I – Bylaw 1983

### 17.5 COMPREHENSIVE DEVELOPMENT 5 - COMMUNITY HOUSING ZONE (CD-5)

The purpose of the CD-5 Community Housing Zone is to accommodate multiple unit rental tenure housing to serve the community's diverse housing needs.

#### 1. Principal Uses

- a) *Multiple-Unit Dwellings.*

#### 2. Accessory Uses

- a) *Home Based Business*, subject to Part 6, Section 6.8.
- b) *Recreation Activity Space.*
- c) *Assembly.*

#### 3. Sizing and Dimension of Parcels

- a) No *Parcel* shall be created which has a *Parcel Area* less than 2,023 square metres.
- b) No *Parcel* shall be created which has a *Frontage* less than 18.28 metres.

#### 4. Size and Density of the Use of Land, Buildings and Structures

- a) The minimum *Finished Floor Area* for each different type of *Dwelling Unit* contained in a *Multiple-Unit* building shall be as shown in the Table below:

| DWELLING UNIT TYPE                 | MULTI-UNIT MINIMUM FINISHED FLOOR AREA |
|------------------------------------|--|
| <i>Studio Dwelling Unit</i>        | 32.0 square metres                     |
| <i>One Bedroom Dwelling Unit</i>   | 60.0 square metres                     |
| <i>Two Bedroom Dwelling Unit</i>   | 70.0 square metres                     |
| <i>Three Bedroom Dwelling Unit</i> | 85.0 square metres                     |

- b) The *Floor Space Ratio* shall not exceed 1.5.
- c) The maximum number of *Dwelling Units* permitted in this *Zone* is 180 units per hectare of *Land*.
- d) No *Building* or *Structures* shall exceed a *Parcel Coverage* of 50.0 percent.
- e) Despite Section 17.5 (4)(d) where all required off-street parking is provided underground, no *Buildings* or *Structures* in this *Zone* shall exceed a maximum *Parcel Coverage* of 60.0 percent.
- f) A *Parcel* may contain more than one *Principal Building*.

#### 5. Siting, Sizing and Dimension of Uses, Buildings and Structures

- a) No *Principal Building* or *Structure* shall exceed a *Height* of 12.5 metres.
- b) No *Accessory Building* or *Structure* shall exceed a *Height* of 7.5 metres; except where the roof pitch is less than 4:12, in which case the maximum *Height* shall be 5.0 metres.

- c) No *Principal Buildings* or *Structures* shall be located closer to the *Parcel Line* than the minimum *Setback* shown in the Table below:

| PARCEL LINE                                       | MINIMUM SETBACK |
|---|-----------------|
| <i>Front Parcel Line</i>                          | 6.0 metres      |
| <i>Interior Side or Exterior Side Parcel Line</i> | 4.5 metres      |
| <i>Rear Parcel Line</i>                           | 4.5 metres      |

- d) No *Accessory Building* or *Structure*, with a *Finished Floor Area* (m<sup>2</sup>) as shown in the Table below, shall be located closer to the *Parcel Line* than the minimum *Setback* shown in the Table below:

| PARCEL LINE                                  | MINIMUM SETBACK<br>≤ 10.0 M <sup>2</sup> | MINIMUM SETBACK<br>>10.0 M <sup>2</sup> |
|--|--|---|
| <i>Front Parcel Line</i>                     | 6.0 metres                               | 6.0 metres                              |
| <i>Interior or Exterior Side Parcel Line</i> | 1.0 metres                               | 1.5 metres                              |
| <i>Rear Parcel Line</i>                      | 1.0 metres                               | 1.5 metres                              |

## 6. Landscaping and Screening

- a) *Landscaping* and screening shall be provided in accordance with Part 7: Landscaping and Screening Regulations.

## 7. Parking and Loading

- a) Off-street parking and off-street loading shall be provided in accordance with Part 8: Parking and Loading Regulations.

## 8. Form of Tenure

- a) One hundred percent (100%) of the Dwelling Units in the CD-5 Zone shall be limited to *Residential Rental Tenure*.

Schedule II – Bylaw 1983

