

Late Agenda Items**Regular Council Agenda
June 6, 2023**

Recommendation:

That Council amend the agenda to add the following items, received after publication of the agenda:

- | | Page(s) |
|---|----------------|
| 11.1.2. "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2124." | 2-5 |
| <u>Recommendation</u> That Council adopt "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2124". | |
| 11.1.3. "Sustainable Transportation Reserve Bylaw, No. 2145" | 6 |
| <u>Recommendation</u> That Council adopt "Sustainable Transportation Reserve Bylaw, No. 2145". | |
| 11.1.4. "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2135". | 7-9 |
| <u>Recommendation</u> That Council adopt "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2135". | |
| 11.2.1. "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, 2023, No. 2140" | 10-14 |
| <u>Recommendation</u> That Council give first three readings to "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, 2023, No. 2140". | |

TOWN OF LADYSMITH

BYLAW NO. 2124

A Bylaw to amend “Town of Ladysmith Zoning Bylaw 2014, No. 1860”

The Council of the Town of Ladysmith in open meeting assembled enacts the following amendments to “Town of Ladysmith Zoning Bylaw 2014, No. 1860”:

1. Schedule A – Section 10.10 “Medium Density Residential (R-3)”, sub-section 8 “Site Specific Regulations”

Add a new subsection to follow existing subsections and alphabetized accordingly, as follows:

- c) For the *Parcels* legally described as Lot 8, Block 5, District Lot 24, Oyster District, Plan 703A (17 Warren Street) and Lot 7, Block 5, District Lot 24, Oyster District, Plan 703A (11 Warren Street):
 - i. Despite section 10.10(5)(d), no *Principal Buildings* or *Structures* shall be located closer to the *Parcel Line* than the minimum *Setbacks* shown in the Table below:

| PARCEL LINE | MINIMUM SETBACK |
|--|-----------------|
| <i>Front Parcel Line</i> | 3.0 metres |
| <i>Interior or Exterior Side Parcel Line</i> | 1.5 metres |
| <i>Rear Parcel Line</i> | 3.0 metres |

- ii. Despite section 10.10(5)(e), the minimum *Setback* for an *Accessory Building* or *Structure* from a *Front Parcel Line* is 3.0 metres.

2. Schedule B – Zoning Bylaw Map

Change the zone for the subject properties, Lot 8, Block 5, District Lot 24, Oyster District, Plan 703A (17 Warren Street) and Lot 7, Block 5, District Lot 24, Oyster District, Plan 703A (11 Warren Street), as shown in Schedule 1, attached to and forming part of this Bylaw, from “Live/Work Residential (R-2-LW)” to “Medium Density Residential (R-3)”.

Citation

- 3. This Bylaw may be cited for all purposes as “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2124”.

READ A FIRST TIME on the 7th day of March, 2023

READ A SECOND TIME on the 7th day of March, 2023

PUBLIC HEARING HELD on the 2nd day of May, 2023

READ A THIRD TIME on the 2nd day of May, 2023

APPROVED BY MINISTRY OF TRANSPORTATION

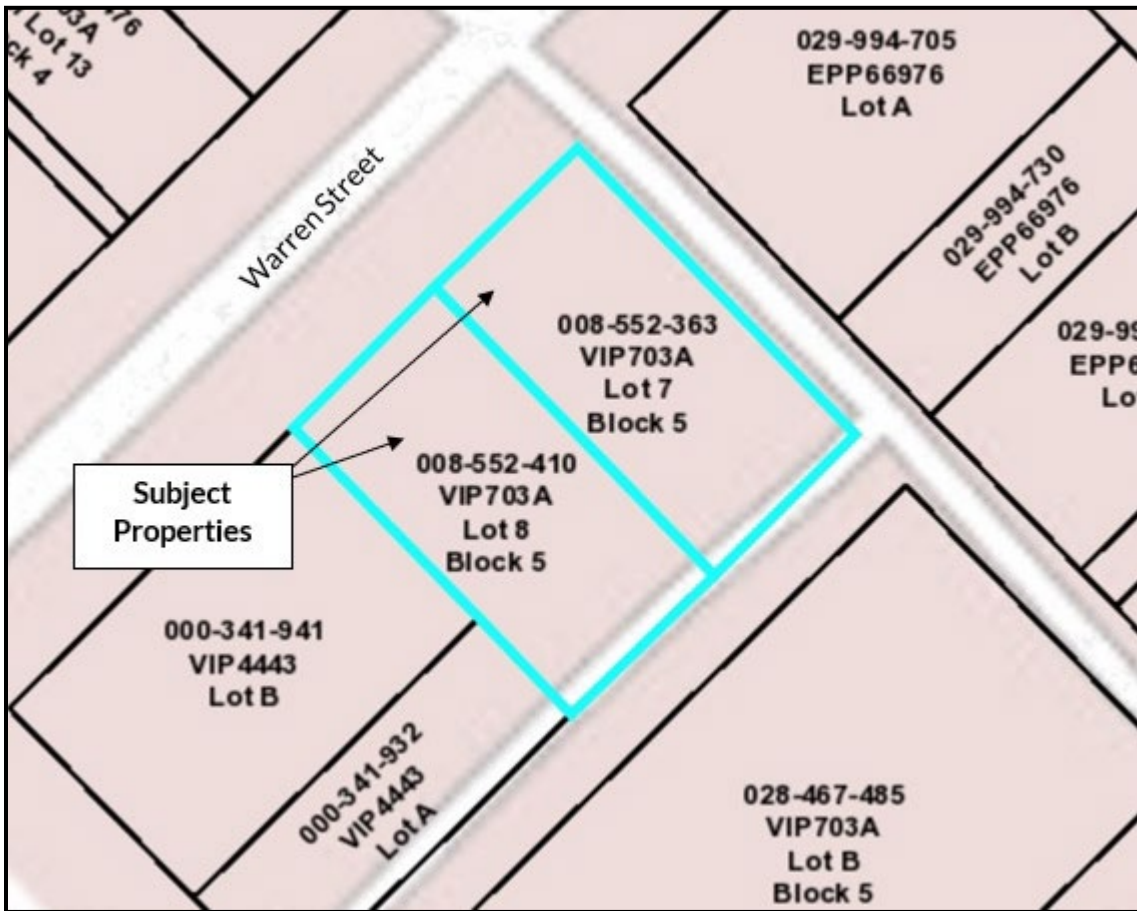
on the 31st day of May, 2023

ADOPTED on the _____ day of _____, 2023

Mayor (A. Stone)

Corporate Officer (M. O'Halloran)

Schedule 1



READ A FIRST TIME on the 7th day of March, 2023
READ A SECOND TIME on the 7th day of March, 2023
PUBLIC HEARING HELD on the 2nd day of May, 2023
READ A THIRD TIME on the 2nd day of May, 2023
APPROVED BY MINISTRY OF TRANSPORTATION
on the _____ day of _____, 2023
ADOPTED on the _____ day of _____, 2023

Mayor (A. Stone)

Corporate Officer (M. O'Halloran)

Approved pursuant to section 52(3)(a) of
the *Transportation Act*
this 31st day of May, 2023
Ministry of Transportation and Infrastructure

J. Miszkulin

Sr. Development Services Officer

TOWN OF LADYSMITH

BYLAW NO. 2145

A bylaw to establish a reserve fund for sustainable transportation infrastructure

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

1. A reserve fund is established under section 525(7)(a)(ii) of the *Local Government Act* and 188(1) of the *Community Charter* and Section , to be known as the "Sustainable Transportation Reserve".
2. Payments made under section 525(1)(d) of the *Local Government Act* shall be deposited into this reserve.
3. Voluntary contributions from the community shall be deposited into this reserve where such contributions are expressly provided for the purpose of contributing to the development of infrastructure under section 6.
4. Council may direct that monies be allocated to the Sustainable Transportation Reserve.
5. Money set aside, until required to be used, may be invested in the manner provided by the *Community Charter*.
6. Money set aside and any interest earned thereon shall be expended solely for the purpose of providing transportation infrastructure that supports walking, bicycling, public transit or other alternative forms of transportation.
7. This bylaw may be cited for all purposes as "Sustainable Transportation Reserve Bylaw 2023, No. 2145".

READ A FIRST TIME on the 16th day of May, 2023

READ A SECOND TIME on the 16th day of May, 2023

READ A THIRD TIME on the 16th day of May, 2023

ADOPTED on the _____ day of _____, 2023

Mayor (A. Stone)

Corporate Officer (M. O'Halloran)

TOWN OF LADYSMITH

BYLAW NO. 2135

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

The Council of the Town of Ladysmith in open meeting assembled enacts the following amendments to "Town of Ladysmith Zoning Bylaw 2014, No. 1860":

1. Schedule A – Zoning Bylaw Text is amended by adding new site specific regulations to Section 10.2 Single Dwelling Residential (R-1), as follows:
 - a. The following is added to the end of Section 10.2(7):

“(d) For the *Parcel*/legally described as Lot A, District Lot 129, Oyster District, Plan VIP56439 (1141 Cloke Road) the following site specific regulations shall apply:

 - i) *Coach House Dwelling* is permitted as an *Accessory Use* subject to Part 6, Section 6.5.
 - ii) Despite Section 5.14(d)(ii) the *Gross Floor Area* of a self-contained *Accessory* space on the *First Storey* of a *Coach House Dwelling* shall have a maximum exclusion of 84.0 square metres.
 - iii) Despite Section 6.5(b)(iii) the *Gross Floor Area* of a *Coach House Dwelling* shall not exceed 70.0 square metres.
 - iv) Despite Section 6.5(b)(iv)(1) the *Height* of a two *Storey Coach House Dwelling* shall not exceed 7.6 metres.”

Citation

2. This Bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2135".

READ A FIRST TIME on the 7th day of March 7, 2023

READ A SECOND TIME on the 7th day of March 7, 2023

PUBLIC HEARING HELD on the 2nd day of May, 2023

READ A THIRD TIME on the 2nd day of May, 2023

APPROVED BY MINISTRY OF TRANSPORTATION

on the 2nd day of June, 2023

ADOPTED on the _____ day of _____, 2023

Mayor (A. Stone)

Corporate Officer (M. O'Halloran)

Mayor (A. Stone)

Corporate Officer (M. O'Halloran)

Approved pursuant to section 52(3)(a) of
the *Transportation Act*

this 2nd day of June 2023
Ministry of Transportation and Infrastructure

Da

Derek Atchison
Development Services

TOWN OF LADYSMITH

BYLAW NO. 2140

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

The Council of the Town of Ladysmith in open meeting assembled enacts the following amendments to "Town of Ladysmith Zoning Bylaw 2014, No. 1860":

Secondary Suites

1. Section 4.1 'Interpretation' is amended to:

a. change the definition of "Dwelling, Secondary Suite" to:

"means a self-contained *Accessory Dwelling Unit* located within a *Single Unit Dwelling*, *Townhouse Dwelling* or *Two Unit Dwelling* that meets the requirements for "secondary suite" under the BC Building Code"; and

b. Change the definition of "Dwelling, Two Unit" to:

"means any detached *Building* containing two *Dwelling Units*, divided horizontally or vertically, with each *Dwelling Unit* having a separate, but not necessarily ground-level, exterior entrance but does not include a *Single Unit Dwelling* containing a *Secondary Suite*."

2. Section 6.4 'Secondary Suite Regulations' is deleted and replaced with the following:

a) Secondary Suites, where permitted in this Bylaw, shall satisfy all of the following conditions:

- i. *Secondary Suites* in *Townhouse Dwellings* and *Two Unit Dwellings* shall not exceed a floor area of 90 square metres or 40% of the *Townhouse Dwelling* or *Two Unit Dwelling*, whichever is less.
- ii. *Secondary Suites* in *Single Unit Dwellings* shall not exceed a floor area of 90 square metres, except *Secondary Suites* in *Single Unit Dwellings* in the R-2; R-2-A; and R-2-LW zones.
- iii. Shall be considered an *Accessory Use* to a *Single Unit Dwelling*, *Townhouse Dwelling* or *Two Unit Dwelling*.
- iv. Shall not be stratified or otherwise subdivided from the *Single Unit Dwelling*, *Townhouse Dwelling* or *Two Unit Dwelling* for which the *Secondary Suite* is *Accessory* to.
- v. Shall be prohibited on a *Parcel* where a *Coach House Dwelling* or *Caretaker Dwelling* is located.
- vi. Shall be prohibited on a *Parcel* where a *Bed and Breakfast Use* is located, unless the *Parcel Area* is at least 1,000 square metres.

3. "Secondary Suite" is added as a permitted accessory use to the Medium Density Residential (R-3) and Low Density Residential (R-3-A) zones.

Coach Houses

4. Section 6.5 'Coach House Regulations' is amended to add as subsection (c):

"c) A *Coach House Dwelling* shall not be stratified or otherwise subdivided from the *Single Unit Dwelling* to which the *Coach House Dwelling* is Accessory".

Parking, Loading and Bicycle Parking

5. Add to section 4.1 'Interpretation' the following definitions:

"Long-term Bicycle Parking Space": means a secure, weather-protected space for bicycle storage used to accommodate long-term bicycle parking, for residents or employees within a room, locker, or a covered and fenced area."

"Oversized Bicycle Parking Space": means a bicycle parking space designed to accommodate cargo bikes, tricycles and similar bicycles and provides a secure locking point anchored to the ground or floor."

"Short-term Bicycle Parking Space": means a metal rack or similar structure:

- a. to which a bicycle and at least one wheel can be secured with a U-style lock; and
- b. is primarily intended to provide temporary bicycle storage to visitors."

6. Section 8.1 'Application' of Part 8 is amended by deleting subsection (d) and replacing as follows:

" d) Despite section 8.1(a), and except for bicycle parking under section 8.3, off-street parking and loading is not required for non-residential uses in the downtown area shown in figure 8.1."

7. Subsection 3 of Section 8.2 ('Parking Pay-In-Lieu Option') is deleted and replaced as follows:

"3. Payment In-Lieu of Parking

- a) An owner of a *Parcel, Building or Structure* may, in lieu of providing off-street vehicle parking, pay to the Municipality:
 - i. Four thousand dollars (\$4,000) per off-street parking space for a mixed-use development containing a *Residential Use* or a development in a *Zone* where a *Residential Use* is not permitted; or
 - ii. Six thousand dollars (\$6,000) per off-street parking space for all other developments.
- b) The provision under subsection a) shall be subject to the following conditions:
 - i. The payment in-lieu of parking option may not be applied to more than 50% percent of required off-street parking spaces;
 - ii. The payment in-lieu of parking option may not be applied to required bicycle parking spaces;
 - iii. Except for uses within the downtown area shown in figure 8.1, the payment in-lieu of parking option shall not be applied to required *Residential* off-street parking spaces.
 - iv. For uses within the downtown area shown in figure 8.1, the payment in-lieu of parking may be applied to up to 50% of required *Residential* off-street parking spaces.
- c) Cash in lieu of parking shall be deposited into a reserve under Section 525(7)(a)(ii) of the *Local Government Act* for the purpose of providing transportation infrastructure that

supports walking, bicycling, public transit or other sustainable forms of transportation.

8. Amend the first sentence of subsection 8.3(1)(a) to read as follows:

“The number of off-street bicycle parking spaces and end-of trip bicycle facilities required for any *Use* is calculated according to Table 8.5 in which Column 1 classifies the types of *Use*, Column 2 sets out the number and type of required off-street bicycle parking spaces, and Column 3 sets out the number and type of required end-of-trip bicycle facilities that are to be provided for each *Use* in Column 1.”

9. Table 8.5 ‘Required Bicycle Parking Spaces’ is deleted and replaced and renamed as follows:

TABLE 8.5: REQUIRED BICYCLE PARKING AND END-OF-TRIP BICYCLE FACILITIES

| COLUMN 1 USE | COLUMN 2 REQUIRED NUMBER OF SPACES | COLUMN 3 REQUIRED END-OF-TRIP BICYCLE FACILITIES |
|-------------------------|--|--|
| Multiple Unit Dwellings | 1.0 Long-term Bicycle Parking Space per unit, at least 10% of which shall be Oversized Bicycle Parking Spaces; and 0.25 Short-term Bicycle Parking Space per unit | At least 50% of required Long-term Bicycle Parking Spaces and 20% of required Short-term Bicycle Parking Space shall be within 1.5 metres of a 110v electric outlet for charging e-bikes. |
| Non-Residential | 1.0 Long-term Bicycle Parking Space per 10 employees ; and Short-term Bicycle Parking Spaces equal to 10% of required off-street vehicle parking spaces | At least 50% of required Long-term Bicycle Parking Spaces and 20% of required Short-term Bicycle Parking Space shall be provided with a 110v electric outlet within 1.5 metres of the parking space. 0.5 lockers per required Long-term Bicycle Parking Space; and 1 shower per 15 required Long-term Bicycle Parking Spaces where the number of required Long-term Bicycle Parking Spaces exceeds 15. |

Delete subsection 8.3(2) ‘Design Standards for Class A and B Bicycle Parking Facilities’ and replace with the following:

“2. Design Standards for Bicycle Parking Spaces

- a) All required bicycle parking spaces shall be located so as to not obstruct pedestrian movement, and must not be placed in fire zones, loading zones, or other areas where unobstructed access is required.
- b) All required bicycle parking shall be provided on a 24 hour per day basis for every day or portion

thereof where a *Use* is in operation, whether the *Use* is in operation in whole or in part.

- d) *Long-term Bicycle Parking Spaces* shall be at least 0.6 metres in width, 1.8 metres in length, and 1.9 metres in height
- e) *Oversized Bicycle Parking Spaces* shall be at least 3.0 metres long and 0.9 metres wide, and 1.9 metres high
- f) Except for *Long-term Bicycle Parking* under subsection (d), required *Long-term Bicycle Parking* and *Oversized Bicycle Parking Spaces* shall:
 - i. be enclosed, at a minimum, by chain-link walls and constructed of theft-resistant materials;
 - ii. be hinged from the inside unless the hinges are tamper proof;
 - iii. have a separate entry lock and key or a programmed entry system;
 - iv. where bicycle lockers are used, have lockable doors, which open to the full height and width of each locker;
 - v. be accessible to and from the outside by a stair-free route and, where accessed by an elevator, by a suitably sized and designed elevator; and
 - vi. be separated from other storage areas and waste collection areas.
- g) Required Long-term Bicycle Parking may be provided inside a *Dwelling Unit*, or an adjacent outdoor amenity area under subsection (v), under the following conditions:
 - i. Up to one required bicycle space may be provided per *Dwelling Unit*.
 - ii. The bicycle parking space must be provided adjacent to an exterior door and situated to allow the bicycle to be stored without travelling through the living space of the *Dwelling Unit*.
 - iii. The *Dwelling Unit* and bicycle parking space must be accessible to and from the outside by a stair-free route and, where accessed by an elevator, by a suitably sized and designed elevator.
 - iv. The flooring in the bicycle parking space and access to the bicycle parking space shall be free of carpet and constructed to withstand bicycle traffic.
 - v. The bicycle parking space shall not be provided on an exterior balcony, patio or other outdoor area, unless the parking space is provided in the form of a bicycle locker.
 - vi. At least one exterior hose connection or bike washing station must be located on the parcel and accessible to the *Dwelling Unit(s)* where the in-unit bicycle parking is provided.
- h) Required Short-term Bicycle Parking shall:
 - i. Be accessible from a 1.2 metre wide front aisle and a 0.5 metre rear aisle, separate from pedestrian access;
 - ii. located within 15.0 metres of a *Principal Building* entry in a well-lit area, clearly visible from the *Principal Building, Street* or both;
 - iii. accessible by a stair-free route and, where accessed by an elevator, by a suitably sized and designed elevator;
 - iv. be securely installed to the floor or ground;
 - v. be easily identifiable as a bicycle rack; and
 - vi. shall not have any sharp edges or projections and use materials and paint that are resistant to rust, corrosion and vandalism.”

Citation

3. This Bylaw may be cited for all purposes as “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, 2023, No. 2140”.

READ A FIRST TIME on the _____ day of _____, 2023

READ A SECOND TIME on the _____ day of _____, 2023

READ A THIRD TIME on the _____ day of _____, 2023

ADOPTED on the _____ day of _____, 2023

Mayor (A. Stone)

Corporate Officer (M. O’Halloran)