

TOWN OF LADYSMITH

BYLAW NO. 2187

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 to effect changes to "Town of Ladysmith Zoning Bylaw 2014, No. 1860":

1. The definition of 'Access Strip' is added as follows:

"ACCESS STRIP: means, in the case of a panhandle lot, the part of a panhandle lot that provides access to a street."

2. The definition of 'Accommodation Unit' is deleted and replaced as follows:

"ACCOMMODATION UNIT: means one or more habitable rooms provided as part of a tourist accommodation use to provide temporary accommodation to the travelling public and may include a bathroom, kitchen facilities or a Kitchenette but does not include a Guest Room or a Dwelling Unit"

3. The definition of 'Bed and Breakfast' is deleted and replaced as follows:

"BED AND BREAKFAST: means the provision of *Guest Rooms*, in a *Single-Unit Dwelling* or an *Accessory Building*, for the temporary accommodation of paying guests, and may include meal service to those guests, but does not include the provision of *Accommodation Units* to paying guests"

4. The definition of 'Dwelling Unit' is amended to add the words "or Guest Room" after "Accommodation Unit"

5. The definition of 'Guest Room' is added as follows:

"GUEST ROOM: means a bedroom or similar room provided as part of a Bed and Breakfast use to provide sleeping facilities to the travelling public and may include an ensuite bathroom but does not include a room with Kitchen Facilities, a Kitchen, Kitchenette or cooking facilities of any kind, or an Accommodation Unit or Dwelling Unit."

6. The last sentence in the definition of 'Corner Parcel' is deleted and replaced as follows:

"In the case of a Panhandle Parcel, the Front Parcel Line shall be the Parcel Line abutting the Parcel between the Street and the Panhandle Parcel."

7. The definition of 'Tourist Accommodation' is deleted and replaced as follows:

"TOURIST ACCOMMODATION: means the provision of one or more *Accommodation Units* for the temporary accommodation of the travelling public but does not include the rental of dwelling units for residential purposes for a month or more under a residential tenancy agreement pursuant to the *Residential Tenancy Act*."

8. Subsections 5.3(a) and (b) are deleted and replaced as follows:

" a) When Panhandle Parcels are created, the Parcel frontage requirement shall not be calculated for the panhandle portion of the access strip fronting on the Street, but for the front parcel line.

b) Where a *Parcel* is a *Panhandle Parcel*, the access strip shall not be included as part of the *Parcel Area* for the purpose of determining minimum *Parcel size*."

9. Add the following as subsections 5.3(c) and (d):

" c) An access strip shall have:

- i) a minimum width of 6.0 meters;
- ii) a maximum width of 9.0 meters;
- iii) a maximum length of 30 meters;
- iv) a maximum grade of 12%

d) A panhandle parcel shall not be created adjacent to another panhandle parcel."

10. Subsections 6.7(a) is deleted and replaced as follows:

" a) A Bed and Breakfast, where permitted in this Bylaw, shall satisfy all of the following conditions:

- i. Shall be operated by an owner of the Single Unit Dwelling, who resides on the Parcel on which the Bed and Breakfast is located.
- ii. Shall not alter the Principal Residential character or external appearance of the Dwelling.
- iii. A Guest Room shall not be provided in an *Accessory Building* unless at least one Guest Room is provided in a Single Unit Dwelling.
- iv. Shall be limited to a maximum of four (4) Guest Rooms, only one of which may be located in an Accessory Building.
- v. For clarity, Guest Rooms shall not have Kitchen Facilities, Kitchenettes, or cooking facilities of any kind. :

- vi. Shall be permitted to offer culinary services to guests, including cooking lessons, which are separate from meals included with accommodation.
- vii. Shall not provide accommodation to the same person or persons more than 30 consecutive days, or more than 60 days within a single calendar year.
- viii. Shall be prohibited on a Parcel where a Caretaker Dwelling, Secondary Suite, Coach House Dwelling, Two-unit Dwelling or Multi-unit Dwelling is located."

11. Table 8.1 is amended to change the parking requirement for Bed and Breakfast to replace the words "Accommodation Unit" with "Guest Room"

12. The minimum parcel size for the R-1-A zone under subsection 10.3.3(a) is reduced from 460 square meters to 300 square meters

13. The minimum parcel frontage for the R-1-A zone under subsection 10.3.3(b) is reduced from 13.5 meters to 10 meters.

14. Add 'Bed and Breakfast' as a permitted accessory use in the R-2 zone as section 10.8(2)(e)

15. Delete subsection Section 10.8(4)(b) of the R-2 zone and replace with the following:
"Where more than four units are located on a *Parcel*, the maximum *Floor Space Ratio* shall be 1.3."

16. Add the following as section 10.8.6

"6. Landscaping and Screening

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

17. Add the following as section 10.8.8

"8. Other Regulations

- a) Notwithstanding the permitted uses under subsection 10.4(1), the following uses are not permitted where five or more units are located on a parcel:

- i. *Coach House Dwelling*
- ii. *Two-unit Dwelling*
- iii. *Single Unit Dwelling*"

18. All section references, section numbers, table of contents and marginalia are updated accordingly.

Citation

19. This Bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860 Amendment Bylaw No. 2187".

READ A FIRST TIME on the 16th day of July, 2024

READ A SECOND TIME on the 16th day of July, 2024


PUBLIC HEARING not held in accordance with section 464(2) of the *Local Government Act*

READ A THIRD TIME on the 16th day of July, 2024


APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE on the 28th day of August, 2024

ADOPTED on the 3rd day of September, 2024



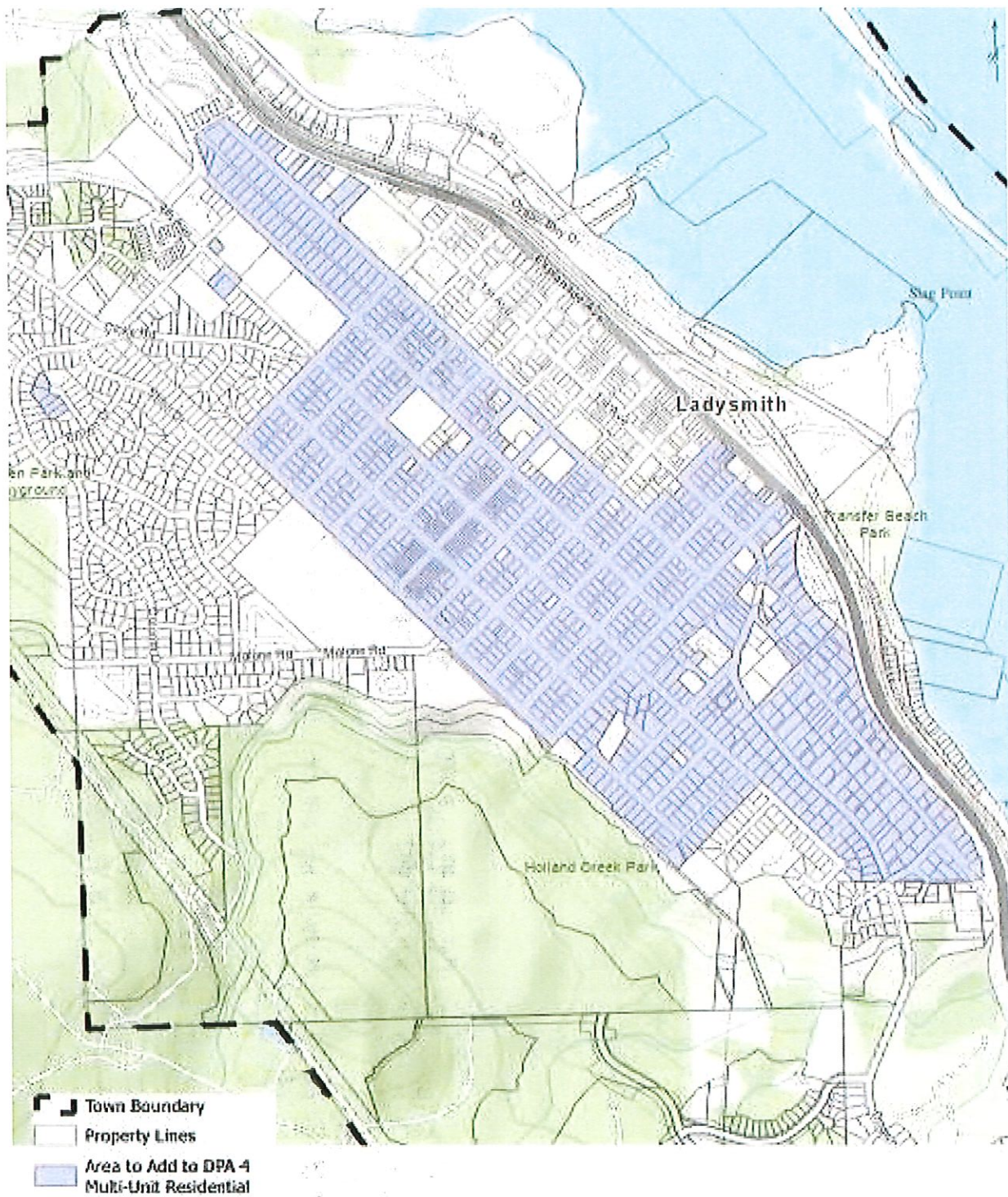


Mayor (A. Stone)



Corporate Officer (S. Bouma)

Schedule A



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APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE on the ___ day of _____, 2024

ADOPTED on the _____ day of _____, 2024

Mayor (A. Stone)

Corporate Officer (S. Bouma)

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

this 28th day of August 2024

Ministry of Transportation and Infrastructure