

TOWN OF LADYSMITH

BYLAW NO. 2020

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

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:
 - (b) The table in Section 9.1 ‘Creation of Zones’ is amended by adding the following at the end of the Table:
“Belaire Mixed-Use CD-6”
 - (c) Part 17: Comprehensive Development Zones is amended by adding a new zone as “17.6 Comprehensive Development 6 – Belaire Mixed-Use (CD-6)” 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-6 Belaire Mixed-Use”
 - (b) By placing “Comprehensive Development 6 – Belaire Mixed-Use (CD-6)” on the subject property legally described as: Lot 1, District Lot 56, Oyster District, Plan 27861 (336 Belair 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. 2020”

READ A FIRST TIME on the 4th day of November, 2019

READ A SECOND TIME on the 4th day of November, 2019

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

on the _____ day of _____, 2019

READ A THIRD TIME on the _____ day of _____, 2019

APPROVED pursuant to s. 52(3)(a) of the *Transportation Act*
on the _____th day of _____, 2019

ADOPTED on the _____th day of _____, 2019

Mayor (A. Stone)

Corporate Officer (J. Winter)

Schedule I – Bylaw 2020

17.6 COMPREHENSIVE DEVELOPMENT 6 – BELAIRE MIXED-USE (CD-6)

The purpose of the CD-6 Belaire Mixed-Use is to accommodate a three-storey mixed-use development containing ground floor commercial and second and third floor multi-family residential development.

1. Principal Uses

- a) *Coffee shop*
- b) *Community care facility*
- c) *Media production studio*
- d) *Multiple-Unit Dwellings.*
- e) *Neighbourhood pub*
- f) *Office*
- g) *Personal service establishment*
- h) *Restaurant*
- i) *Retail sales*
- j) *Veterinary clinic*

2. Accessory Uses

- a) *Home Based Business*, subject to Part 6, Section 6.8.

3. Sizing and Dimension of Parcels

- a) No *Parcel* shall be created which has a *Parcel Area* less than 1,500 square metres.
- b) No *Parcel* shall be created which has a *Frontage* less than 30 metres.

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

- a) The *Floor Space Ratio* shall not exceed 0.9
- b) The maximum number of Dwelling Units permitted in this Zone is one.
- c) Notwithstanding Section 17.6(4)(b), the owner shall be entitled to a maximum residential density of 53.5 units per hectare, to a maximum of 8 units, provided that:
 - i) the owner constructs, at their cost, street parking and drainage improvements , in accordance with the standards established by the Town, on that portion of Rigby Place immediately adjacent to Wickham Park; and
 - ii) prior to obtaining a building permit for the dwelling units under this section, the owner provides a bond or other surety satisfactory to the Town from which the Town may draw upon if the owner fails to complete the works under (i).
- d) No commercial use on the parcel shall have a *Gross Floor Area* greater than 250 square meters
- e) The combined *Floor Space Ratio* for all commercial uses on the property shall not exceed 0.5.
- f) No *Building* or *Structures* shall exceed a *Parcel Coverage* of 40.0 percent.
- g) 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 11.0 metres.
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.

- b) 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> (Belaire Street)	2.0 metres
<i>Interior Side Parcel Line</i>	4.5 metres
<i>Exterior Side Parcel Line</i>	2.0 metres
<i>Rear Parcel Line</i>	17.0 metres

- c) No *Accessory Building* or *Structure*, with a *Finished Floor Area* (10 m²) 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
<i>Front Parcel Line</i>	6.0 metres
<i>Interior Side Parcel Line</i>	4.5 metres
<i>Exterior Side Parcel Line</i>	3.0 metres
<i>Rear Parcel Line</i>	13.0 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.

Schedule II – Bylaw 1983

