

**A SPECIAL MEETING/WORKSHOP OF THE  
COUNCIL OF THE TOWN OF LADYSMITH  
AGENDA  
5:00 P.M.**

**Tuesday, April 30, 2019  
Council Chambers, City Hall**

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**Pages**

**1. CALL TO ORDER**

**2. AGENDA APPROVAL**

Recommendation

That Council approve the agenda for this Special Meeting/Workshop of Council for Tuesday, April 30, 2019.

**3. PRESENTATION AND DISCUSSION**

**3.1 Holland Creek Infrastructure Financing Tools (5:00 p.m. to 6:15 p.m.)**

**3.2 Development Cost Charge Waiver Review (6:30 p.m. to 7:30 p.m.)**

**2**

**4. ADJOURNMENT**

# **TOWN OF LADYSMITH**

## **BYLAW NO. 1781**

### **A Bylaw to Reduce Development Cost Charges for Developments With Low Environmental Impact in the Downtown Specified Area of the Town of Ladysmith.**

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**WHEREAS** Council is permitted by Section 933.1 of the Local Government Act to waive or reduce a development cost charge by bylaw for a development that is designed to result in a low environmental impact;

**AND WHEREAS** Council recognizes that development within the Ladysmith downtown specified area is designed to result in a low environmental impact due in part to existing infrastructure, availability of and proximity to services, walkability of the downtown and reduced vehicle usage, and the associated reductions in greenhouse gas emissions;

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

#### **TITLE**

1. This bylaw may be cited as “Town of Ladysmith Downtown Development Cost Charges Reduction Bylaw, 2011, No. 1781”.

#### **ELIGIBLE DEVELOPMENT**

2. For the purposes of this Bylaw, any development that occurs within the Downtown Specified Area, which encompasses the lands shown within a heavy outline on Schedule A attached to and forming part of this Bylaw, is designed to result in a low environmental impact, and constitutes a class of eligible development for that purpose.

#### **REDUCTION**

3. The class of eligible development described in Section 2 will have the applicable Town of Ladysmith development cost charge amount payable reduced by 100%.

#### **SCHEDULE**

4. Schedule A – Downtown Specified Area is attached to and forms part of this Bylaw.

#### **SEVERABILITY**

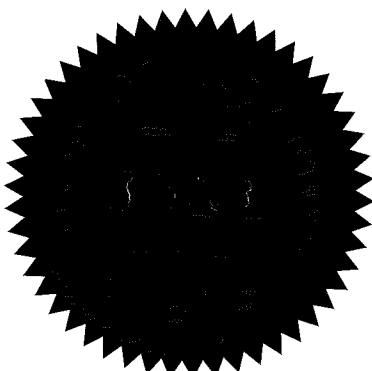
5. If any part, paragraph or phrase in this Bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, that portion shall be severed and the remainder of this bylaw shall continue in force.

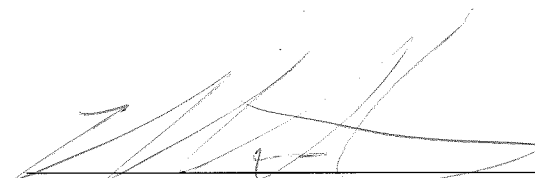
**READ A FIRST TIME** on the 4<sup>th</sup> day of October, 2011

**READ A SECOND TIME** on the 4<sup>th</sup> day of October, 2011

**READ A THIRD TIME** on the 4<sup>th</sup> day of October, 2011

**ADOPTED** on the 17<sup>th</sup> day of October, 2011

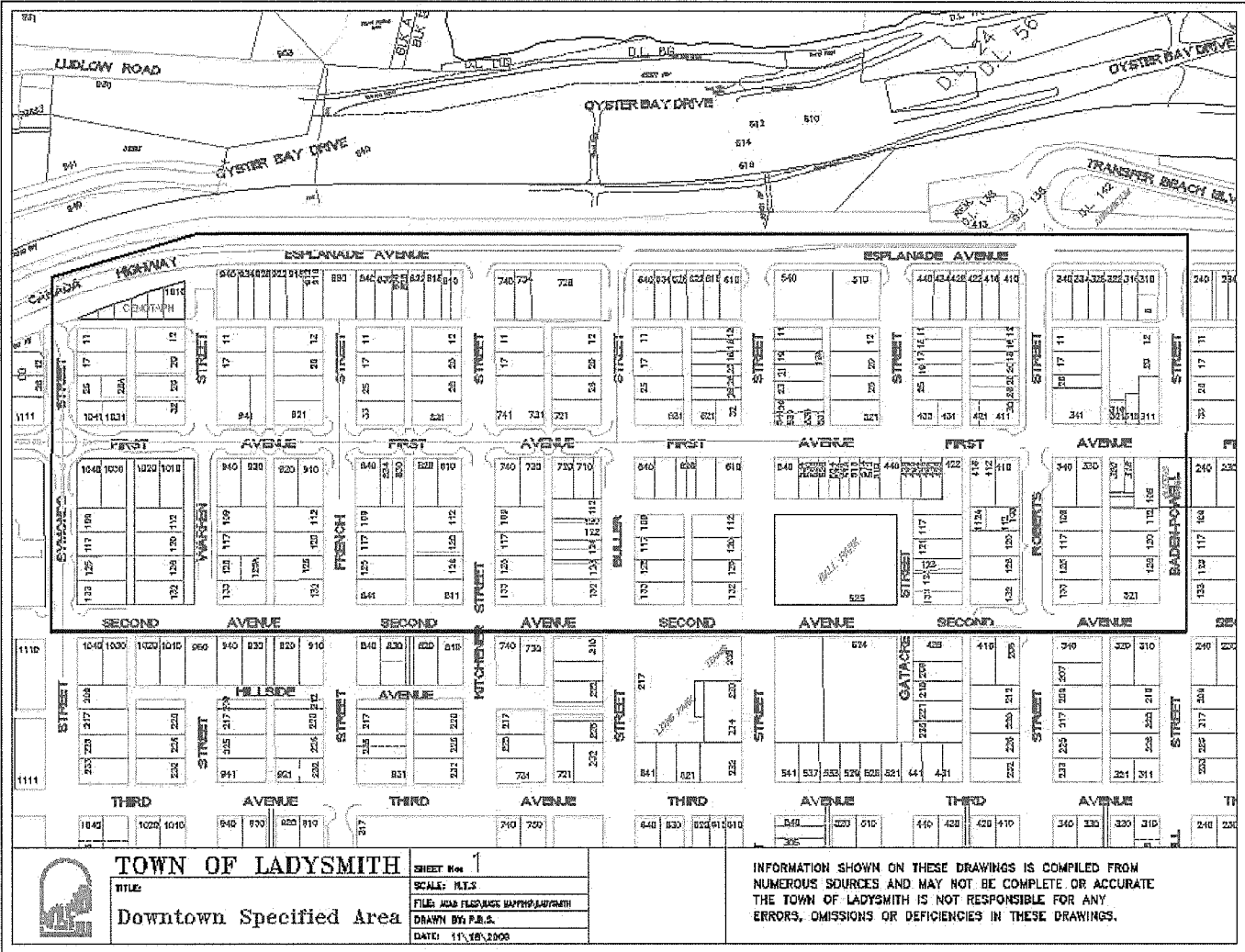


  
Mayor (R. Hutchins)



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Corporate Officer (S. Bowden)

SCHEDULE A – DOWNTOWN SPECIFIED AREA



## TOWN OF LADYSMITH

### BYLAW NO. 1804

#### A Bylaw to Reduce Development Cost Charges for Not-for-Profit Rental Housing

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**WHEREAS** Council is permitted by section 933.1 of the Local Government Act to waive or reduce a development cost charge by bylaw for not-for-profit rental housing, including supportive living housing;

**WHEREAS** Council wishes to provide for a reduction of a development cost charge where the monthly rent for a not-for-profit rental housing unit is equal to or less than the figure calculated by multiplying the median housing income of the Town of Ladysmith by 2%, which is the equivalent of households within 80% of the median household income paying 30% of their household income annually toward the cost of housing;

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

#### DEFINITIONS

1. In this Bylaw:

***‘Eligible Development Housing Agreement’*** means an Agreement under section 905 of the *Local Government Act* between the Town of Ladysmith and an owner of land seeking a reduction in development cost charges.

***‘Not-for-profit rental housing’*** means one or more rental dwelling units:

- (a) that are operated as rental housing for tenants who are capable of independent living and meet eligibility criteria related to income, health or other similar criteria;
- (b) that are subsidized by the Province of British Columbia or by an incorporated not-for-profit organization; and,
- (c) that are publicly owned or owned and operated by an incorporated not-for-profit organization.

including, but not limited to, units within a development assessed as Class 3 for purposes of the *Assessment Act*.

#### ELIGIBLE DEVELOPMENT

2. For the purposes of this Bylaw, not-for-profit rental housing that meets the conditions in section 3 constitutes a class of eligible development.
3. To be eligible for the reduction in development cost charges, the not-for-profit rental housing shall meet the following conditions:
  - (a) there is an Eligible Development Housing Agreement for a period of not less than 20 years, requiring that the monthly rent charged for each individual dwelling unit shall not exceed the figure calculated by multiplying the median household income for the Town of Ladysmith, as reported by Statistics Canada in the most recent census, by 2%; and
  - (b) the owner submits an annual report to the Town of Ladysmith no later than January 15 of each year the Eligible Development Housing Agreement is in effect, confirming that each individual dwelling unit met the definition of not-for-profit rental housing as well as the eligibility criteria in section 3(a) for the previous calendar year.
4. A reduction of development cost charges granted under this Bylaw is subject to the condition that if at any time during the period of the Eligible Development Housing



Agreement referenced in section 3, a dwelling unit no longer meets the definition of not-for-profit rental housing or no longer fulfills the conditions in section 3:

- (a) it shall no longer be an eligible development under this Bylaw, and
- (b) the owner of the land shall be liable for repayment of development cost charges in accordance with section 6.

**REDUCTION**

- 5. The Town of Ladysmith development cost charge will be reduced by 100% in respect of a dwelling unit that meets the definition of not-for-profit rental housing in this Bylaw and is an eligible development as defined in section 3.

**REPAYMENT**

- 6. The full amount of development cost charges that would have been payable on the date the building permit was approved, had the reduction not applied, plus interest at the rate of 3% per year calculated monthly since the date of the waiver compounded annually, shall immediately become due and payable to the Town for a dwelling unit that no longer qualifies as an eligible development under this Bylaw, as referenced in section 3.

**PERPETUAL WAIVER**

- 7. Once the period of the Eligible Development Housing Agreement has concluded, being a period of not less than 20 years, the development cost charges that would have applied to the original construction of the dwelling units that were part of the eligible development are thereafter waived in perpetuity and unconditionally.

**FURTHER DCCS PAYABLE**

- 8. Despite section 7, an applicant for further or additional development of the land in respect of which development cost charges have been waived under this Bylaw shall pay development cost charges that may be payable under a bylaw, as a result of such further or additional development during or after the term of the Eligible Development Housing Agreement, calculated in accordance with the bylaws applicable at the time of application for a development approval.

**SEVERABILITY**

- 9. If any part, paragraph or phrase in this Bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, that portion shall be severed and the remainder of this Bylaw shall continue in force.

**CITATION**

- 10. This Bylaw may be cited as “Town of Ladysmith Not-for-Profit Rental Housing Development Cost Charges Reduction Bylaw, 2012, No. 1804”.

<b>READ A FIRST TIME</b> on the	7 <sup>th</sup>	day of	May,	2012
<b>READ A SECOND TIME</b> on the	7 <sup>th</sup>	day of	May,	2012
<b>READ A THIRD TIME</b> on the	7 <sup>th</sup>	day of	May,	2012
<b>ADOPTED</b> on the	22 <sup>nd</sup>	day of	May,	2012

  
\_\_\_\_\_  
Mayor (R. Hutchins)

  
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Director of Corporate Services (S. Bowden)

