

**THE COMMITTEE OF THE WHOLE
AGENDA
6:30 P.M.**

Tuesday, September 28, 2021

**This meeting will be held electronically as per Ministerial Order No. M192
Pages**

1. CALL TO ORDER AND ACKNOWLEDGEMENT

The Town of Ladysmith acknowledges with gratitude that this meeting takes place on the traditional, unceded territory of the Stz'uminus First Nation.

Residents are encouraged to "virtually" attend the meeting by registering here:
https://zoom.us/webinar/register/WN_6Vop6BJ2Rva0vDeGHjg4kw

Instructions on how to join the meeting will be sent immediately after you register.

View the livestream on YouTube:
<https://www.youtube.com/channel/UCH3qHAExLiW8YrSuJk5R3uA/featured>.

2. AGENDA APPROVAL

Recommendation

That the agenda for this September 28, 2021 Committee of the Whole meeting be approved.

3. MINUTES

3.1. Minutes of the Committee of the Whole Meeting held July 13, 2021

5

Recommendation

That the minutes of the Committee of the Whole meeting held July 13, 2021 be approved.

4. REPORTS

4.1. Building Inspector's Report for May to August 2021 10

Recommendation

That the Committee receive the Building Inspector's Report for the months May to August 2021.

4.2. Ladysmith Fire/Rescue Reports for May to August 2021 11

Recommendation

That the Committee receive the Ladysmith Fire/Rescue Reports for the months May to August 2021.

4.3. Coastal Animal Control Services Reports for April to June 2021 19

Recommendation

That the Committee receive the Coastal Animal Control Services Reports for the months April to June 2021.

4.4. RCMP Reports for Quarters 1 and 2, 2021 22

Recommendation

That the Committee receive the RCMP Reports for the first and second quarter of 2021.

4.5. 2021 Q2 (April – June) Financial Update 24

Recommendation

That the Committee receive the staff report dated September 28, 2021, regarding the 2021 Q2 Financial Update.

4.6. Financial Impact of new Summer Water Rates and Single Family Dwelling with Base Rates 39

Recommendation

That the Committee recommend that Council direct staff to amend "Waterworks Regulations Bylaw 1999, No. 1298" to include:

1. A single family dwelling with a suite rate structure based on 1.5 times the single family dwelling charge and allowing an initial consumption of 37.5m³ per quarter; and
2. A new step rate for water consumption greater than 200m³ for single family dwellings for only the quarters April to June and July to September, at a rate of \$3.1701 per cubic metre subject to bylaw amendments.

Recommendation

That the Committee recommend that Council direct staff to prepare amendments to “Council Procedure Bylaw 2009, No. 1666” as identified in the staff report dated September 28, 2021, including:

1. Various housekeeping amendments;
2. Scheduling specifications to ensure that a meeting is not held during the first week of January and that only one meeting is held in August;
3. Changing the Regular Council Meeting start time to 6:00 p.m.;
4. Removing the section on Public Hearings and preparing a Public Hearing Policy; and
5. Adding wording to reflect recent amendments to the *Community Charter* related to electronic meetings.

4.8. Two-Storey Coach HousesRecommendation

That the Committee recommend that Council direct staff to:

1. Bring forward amendments to:
 - a. “Official Community Plan Bylaw 2003, No. 1488”,
 - b. “Town of Ladysmith Zoning Bylaw 2014, No. 1860”; and
 - c. “Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905”; related to coach houses as outlined in the September 28, 2021 staff report; and
2. Develop a design pre authorization program for coach houses as outlined in the September 28, 2021 staff report to the Committee of the Whole.

5. COUNCIL SUBMISSIONS**5.1. Inclusion of the Hul'qumi'inum Name on the Transfer Beach Park Sign**

Councillor Paterson has requested that the Committee discuss the possibility of including a Hul'qumi'inum name on the sign entering Transfer Beach Park.

5.2. Coast Salish Welcoming Figure

Councillor Paterson has requested that the Committee discuss the possibility of adding a Coast Salish welcoming figure on Transfer Beach

Boulevard.

6. NEW BUSINESS

7. ADJOURNMENT



COMMITTEE OF THE WHOLE MEETING MINUTES

Tuesday, July 13, 2021
6:30 P.M.

This meeting was held electronically as per Ministerial Order No. M192

Council Members Present:

Councillor Rob Johnson, Vice Chair
Mayor Aaron Stone
Councillor Tricia McKay

Councillor Duck Paterson
Councillor Marsh Stevens
Councillor Jeff Virtanen

Council Members Absent:

Councillor Amanda Jacobson

Staff Present:

Allison McCarrick
Erin Anderson
Chris Barfoot
Jake Belobaba

Geoff Goodall
Ryan Bouma
Donna Smith
Sue Bouma

1. CALL TO ORDER

Councillor Johnson, Chair, called this Committee of the Whole meeting to order at 6:32 p.m., and acknowledged with gratitude that this meeting was being held on the traditional unceded territory of the Stz'uminus First Nation.

2. AGENDA APPROVAL

CW 2021-041

That the agenda for this July 13, 2021 Committee of the Whole meeting be approved.

Motion Carried

3. MINUTES

3.1 Minutes of the Committee of the Whole Meeting held May 11, 2021

CW 2021-042

That the minutes of the Committee of the Whole meeting held May 11, 2021 be approved.

Motion Carried

4. REPORTS

4.1 Changes to Cannabis Retail Applications

The Committee received the report.

4.2 Alternative Locations for Community Themed Lighting

CW 2021-043

That the Committee recommend that Council direct staff to:

1. Proceed with Option 3 - lighting conversion for Bob Stuart Park with project costs to be funded by remaining funds from the recent themed lighting project at City Hall; and
2. Investigate funding options related to Option Nos. 1 and 2 provided in the staff report dated July 13, 2021, and report back to Council.

Motion Carried

4.3 Alternative Water Billing Structures and Subsidies

Councillor Virtanen requested that the Committee consider the recommendations seriatim.

CW 2021-044

That the Committee recommend that Council direct staff to draft a Water, Sewer and Solid Waste Subsidy Program bylaw with the benefit of a 50% reduction to the sewer rate, a 50% reduction to the fixed base rate for water only, and a 50% reduction to the solid waste rate, with the following criteria :

- a. the subsidy is only eligible for single, residential class properties;
- b. the owner/applicant is over 65 years of age with an annual income less than \$24,878 per person or \$41,049 per household, to be adjusted by BC CPI which is verified annually by the Finance Department based on the most recent federal notice of assessment; and

- c. the property receives a quarterly individual Town of Ladysmith utility bill and contributes to the respective utility by paying an applicable parcel tax.

Motion Defeated

OPPOSED: Mayor Stone and Councillors Johnson, Paterson and Virtanen

CW 2021-045

That the Committee direct staff to report back at a future Committee of the Whole meeting the impact of establishing:

- a. a single family dwelling-with-a-suite rate structure based on 1.5 times the single family dwelling charge, allowing an initial consumption of 37.5m³ for the quarter; and
- b. an additional charge for summer water consumption starting at 200m³ and increasing in increments of 25m³, charging an additional 30% per amounts for the single family dwelling rate and the single family dwelling with a suite structure.

Motion Carried

4.4 Eradicate Graffiti Reward Program

CW 2021-046

That the Committee recommend that Council direct staff to work with the RCMP in the promotion of the Block Watch programs.

Motion Carried

5. COUNCIL SUBMISSIONS

5.1 Community Gardens

CW 2021-047

That the Committee recommend that Council direct staff to work with the Vancouver Island Health Authority and the Ladysmith Community Gardens Society to discuss the possibility of using a portion of the former hospital property for community gardens.

Motion Carried

5.2 Brown Drive Park

CW 2021-048

That the Committee recommend that Council request that the Parks, Recreation & Culture Advisory Committee provide recommendations to Council on ways that Brown Drive Park can be used to its full potential, including the possible creation of a Parks Implementation Plan.

Motion Carried

5.3 Bike Lanes

CW 2021-049

That the Committee recommend that Council direct staff to provide a report for a future meeting of Council with design and costing for painted lines or, preferably, low-level physical barrier bike lanes (both sides) from Bayview to Methuen and key intersection treatment at 1st Avenue and Methuen Street to be included in the budget.

Motion Carried

CW 2021-050

That the Committee recommend that Council direct staff to work with Ministry of Transportation staff to reduce the shoulder width on the highway from the base of the Bayview bicycle path to Davis Road by moving the no-post barrier over, to leave a wider path for Active Transportation.

Motion Carried

5.4 Town of Ladysmith Street Naming Policy 11-5450-A

CW 2021-051

That the Committee request staff to recommend amendments to the Road Name Guidelines contained in Town of Ladysmith Street Naming Policy 11-5450-A for consideration at a future Committee of the Whole Meeting

Motion Carried

6. ADJOURNMENT

The Committee briefly discussed upcoming community events and noted that the public is anticipating them with great enthusiasm.

CW 2021-052

That this meeting of the Committee of the Whole adjourn at 7:57 p.m.

Motion Carried

CERTIFIED CORRECT:

Vice Chair (Councillor R. Johnson)

Corporate Officer (D. Smith)



TOWN OF LADYSMITH
Quarterly Building Permit Summary - YTD AUGUST 2021

1 BP could = more than 1 DU (e.g. Suite)

	Commercial		Industrial		Institutional		Residential (NEW)		Residential Reno, Add, Suite, CH		Dwelling Units	Total Permits	Bldg & Plbg Permit Fees This Month	Permit Values This Month	Permit Values Year to Date 2021
	No. of Permits	Values	No. of Permits	Values	No. of Permits	Values	No. of Permits (new res)	Values	No. of Permits	Values					
AUG	0	\$ -	0	\$ -	0	\$ -	11	\$ 5,302,625	4	\$ 121,962	20	15	\$ 62,676	\$ 5,424,587	\$ 59,288,020

Year to Date

JAN	0	\$0	1	\$1,500	1	\$0	6	\$1,663,500	7	\$18,125	6	15	\$20,079	\$1,683,125	\$1,683,125
FEB	1	\$0	0	\$0	0	\$0	6	\$16,717,033	3	\$37,000	102	10	\$193,325	\$16,754,033	\$18,437,158
MAR	1	\$5,400,000	0	\$0.00	2	\$9,210,000	8	\$3,217,225	4	\$118,250	48	15	\$201,915	\$17,945,475	\$36,382,633
APR	1	\$0	0	\$0	0	\$0	6	\$2,030,000	3	\$61,320	9	10	\$24,373	\$2,106,320	\$38,488,953
MAY	3	\$5,295,780	0	\$0	1	\$100,000	4	\$1,595,000	14	\$488,700	11	22	\$83,762	\$7,479,480	\$45,968,433
JUN	0	\$0	0	\$0	0	\$0	10	\$3,695,000	7	\$341,000	19	17	\$47,180	\$4,036,000	\$50,004,433
JUL	0	\$0	0	\$0	0	\$0	8	\$3,610,000	8	\$249,000	11	16	\$44,703	\$3,859,000	\$53,863,433
AUG	0	\$0	0	\$0	0	\$0	11	\$5,302,625	4	\$121,962	20	15	\$62,676	\$5,424,587	\$59,288,020
SEP															
OCT															
NOV															
DEC															
TOTAL	6	\$10,695,780	1	\$1,500	4	\$9,310,000	59	\$37,830,383	50	\$1,435,357	226	120	\$678,014	\$59,288,020	

Demos Mth	0	Demos YTD	6
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Comparison	#DU	Value	#BP	Value
YTD 2021	226	\$37,830,383	120	\$59,288,020
YTD 2020	31	\$7,067,395	62	\$11,717,114
YTD 2019	30	\$6,438,754	62	\$8,264,019

NEW D.U. TYPE	SFD	SFD + Suite	Suite added to existing	Coach House	Multi-Family
THIS MONTH	5	4	2	0	5
YTD	25	30	4	0	143

13 BP = 20 DU

4 SFD with Suite + 5 SFD + 2 Suites added to existing SFD + 1 triplex + 1 duplex = 20 DU



Ladysmith Fire / Rescue

P.O. Box 760 Ladysmith, B.C. V9G 1A5
Phone: 250-245-6436 • Fax: 250-245-0917



FIRE CHIEF'S REPORT

MONTH: **May 2021**

TYPE OF CALL OUT	J	F	M	A	M	J	J	A	S	O	N	D	YTD TOTALS
AA-Alarms Activated	3		3	3	3								12
BC-Burning Complaint	1		3	1	5								10
BF-Bush / Interface													0
F-Fire-Other		5											5
HAZMAT-Hazardous Materials	3			2									5
Hydro-Hydro Lines Down / Fire	3	1											4
INV-Investigation / Assistance	2			3									5
MA-Medical Aid	3	1	5	2	1								12
MVI-Motor Vehicle Incident	4	6	1	7	3								21
Rescue													0
SF-Structure Fire													0
Mutual Aid Provided		1			1								2
Mutual Aid Received		2											2
MONTH TOTALS (exc.. Practices)	19	14	12	18	13	0	0	0	0	0	0	0	76
Practices (Totals for each Month)	4	4	5	4									17

ALARMS ACTIVATED

- 391 Woodley
Non-Emergency (cooking)
- 501 High St
Non-Emergency (cleaning panel)
- 328 Mylene Cres
Non-Emergency (steam from shower)

COMPARISONS:

Year to Date 2021	<u>76</u> (exc. practices)
Year to Date 2020	<u>61</u> (exc. practices)
Year to Date 2019	<u>64</u> (exc. practices)

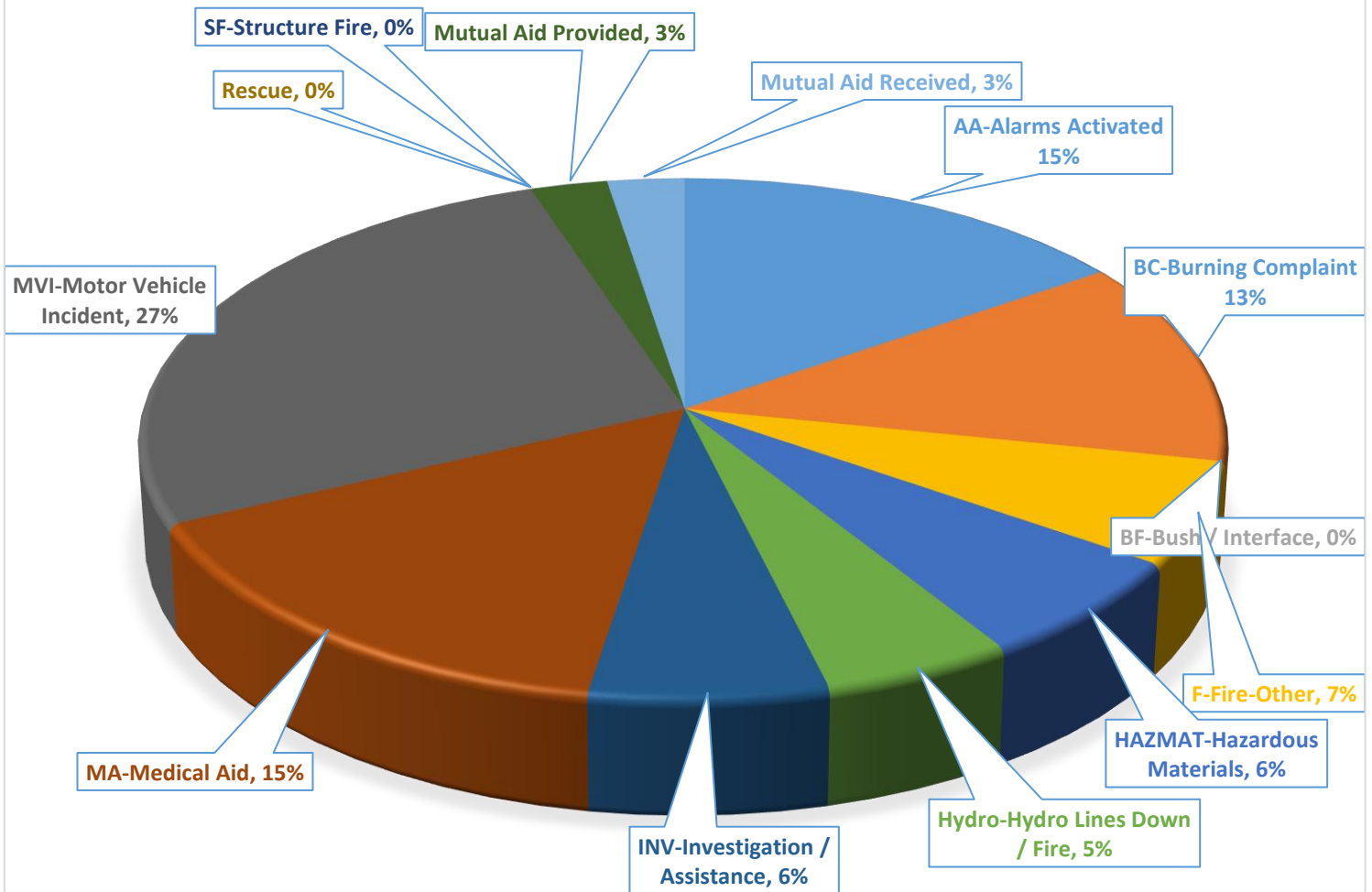
Motor Vehicle Incident Locations

- 900 blk TCH
- 1100 blk TCH
- 100 Rollie Rose Dr

APPROVED:

Fire Chief Chris Geiger

MAY 2021 YTD TOTALS



- | | | | |
|------------------------------|---------------------------------|----------------------------------|-----------------------|
| ■ AA-Alarms Activated | ■ BC-Burning Complaint | ■ BF-Bush / Interface | ■ F-Fire-Other |
| ■ HAZMAT-Hazardous Materials | ■ Hydro-Hydro Lines Down / Fire | ■ INV-Investigation / Assistance | ■ MA-Medical Aid |
| ■ MVI-Motor Vehicle Incident | ■ Rescue | ■ SF-Structure Fire | ■ Mutual Aid Provided |
| ■ Mutual Aid Received | | | |



Ladysmith Fire /Rescue

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FIRE CHIEF'S REPORT

MONTH: **June 2021**

TYPE OF CALL OUT	J	F	M	A	M	J	J	A	S	O	N	D	YTD TOTALS
AA-Alarms Activated	3		3	3	3	3							15
BC-Burning Complaint	1		3	1	5	1							11
BF-Bush / Interface													0
F-Fire-Other		5				2							7
HAZMAT-Hazardous Materials	3			2		1							6
Hydro-Hydro Lines Down / Fire	3	1				1							5
INV-Investigation / Assistance	2			3		1							6
MA-Medical Aid	3	1	5	2	1	5							17
MVI-Motor Vehicle Incident	4	6	1	7	3	5							26
Rescue													0
SF-Structure Fire													0
Mutual Aid Provided		1			1	1							3
Mutual Aid Received		2											2
MONTH TOTALS (exc.. Practices)	19	14	12	18	13	20	0	0	0	0	0	0	96
Practices (Totals for each Month)	4	4	5	4	4	5							26

ALARMS ACTIVATED

- #17-711 Malone Rd
Non-Emergency (cooking)
#17-711 Malone Rd
Non-Emergency (cooking)
- 16 High St
Burst pipe

COMPARISONS:

Year to Date 2021	<u>96</u> (exc. practices)
Year to Date 2020	<u>74</u> (exc. practices)
Year to Date 2019	<u>81</u> (exc. practices)

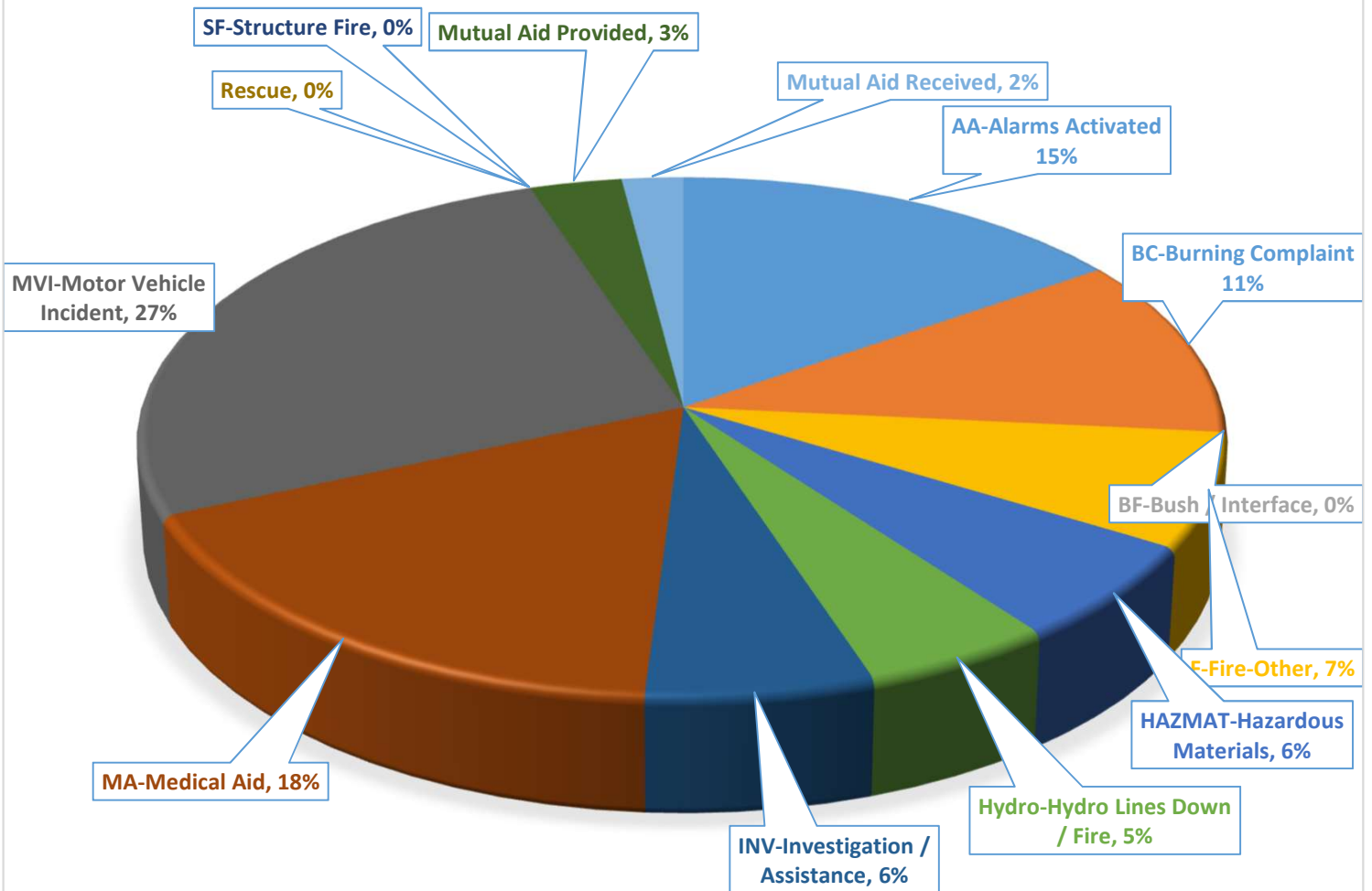
Motor Vehicle Incident Locations

- 11 High St
- 11200 Blk TCH
- 12500 Blk TCH
- Roberts @ TCH
- 1st Ave @ TCH

APPROVED:

Fire Chief Chris Geiger

JUNE 2021 YTD TOTALS



- | | | | |
|------------------------------|---------------------------------|----------------------------------|-----------------------|
| ■ AA-Alarms Activated | ■ BC-Burning Complaint | ■ BF-Bush / Interface | ■ F-Fire-Other |
| ■ HAZMAT-Hazardous Materials | ■ Hydro-Hydro Lines Down / Fire | ■ INV-Investigation / Assistance | ■ MA-Medical Aid |
| ■ MVI-Motor Vehicle Incident | ■ Rescue | ■ SF-Structure Fire | ■ Mutual Aid Provided |
| ■ Mutual Aid Received | | | |



Ladysmith Fire /Rescue

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FIRE CHIEF'S REPORT

MONTH: **July 2021**

TYPE OF CALL OUT	J	F	M	A	M	J	J	A	S	O	N	D	YTD TOTALS
AA-Alarms Activated	3		3	3	3	3	2						17
BC-Burning Complaint	1		3	1	5	1	3						14
BF-Bush / Interface							3						3
F-Fire-Other		5				2	2						9
HAZMAT-Hazardous Materials	3			2		1							6
Hydro-Hydro Lines Down / Fire	3	1				1							5
INV-Investigation / Assistance	2			3		1	3						9
MA-Medical Aid	3	1	5	2	1	5	7						24
MVI-Motor Vehicle Incident	4	6	1	7	3	5	6						32
Rescue													0
SF-Structure Fire													0
Mutual Aid Provided		1			1	1	2						5
Mutual Aid Received		2											2
MONTH TOTALS (exc.. Practices)	19	14	12	18	13	20	28	0	0	0	0	0	124
Practices (Totals for each Month)	4	4	5	4	4	5	4						30

ALARMS ACTIVATED

1. 606 Steele Pl
Faulty Sensor
2. #74-10980 Westdowne Rd
Non-Emergency due to cooking

Motor Vehicle Incident Locations

1. TCH / 1st Ave
2. 767-901 TCH
3. Dogwood Dr / Holland Cr Pl
4. TCH / Roberts St
5. 370 Davis Rd

COMPARISONS:

Year to Date 2021 124 (exc. practices)

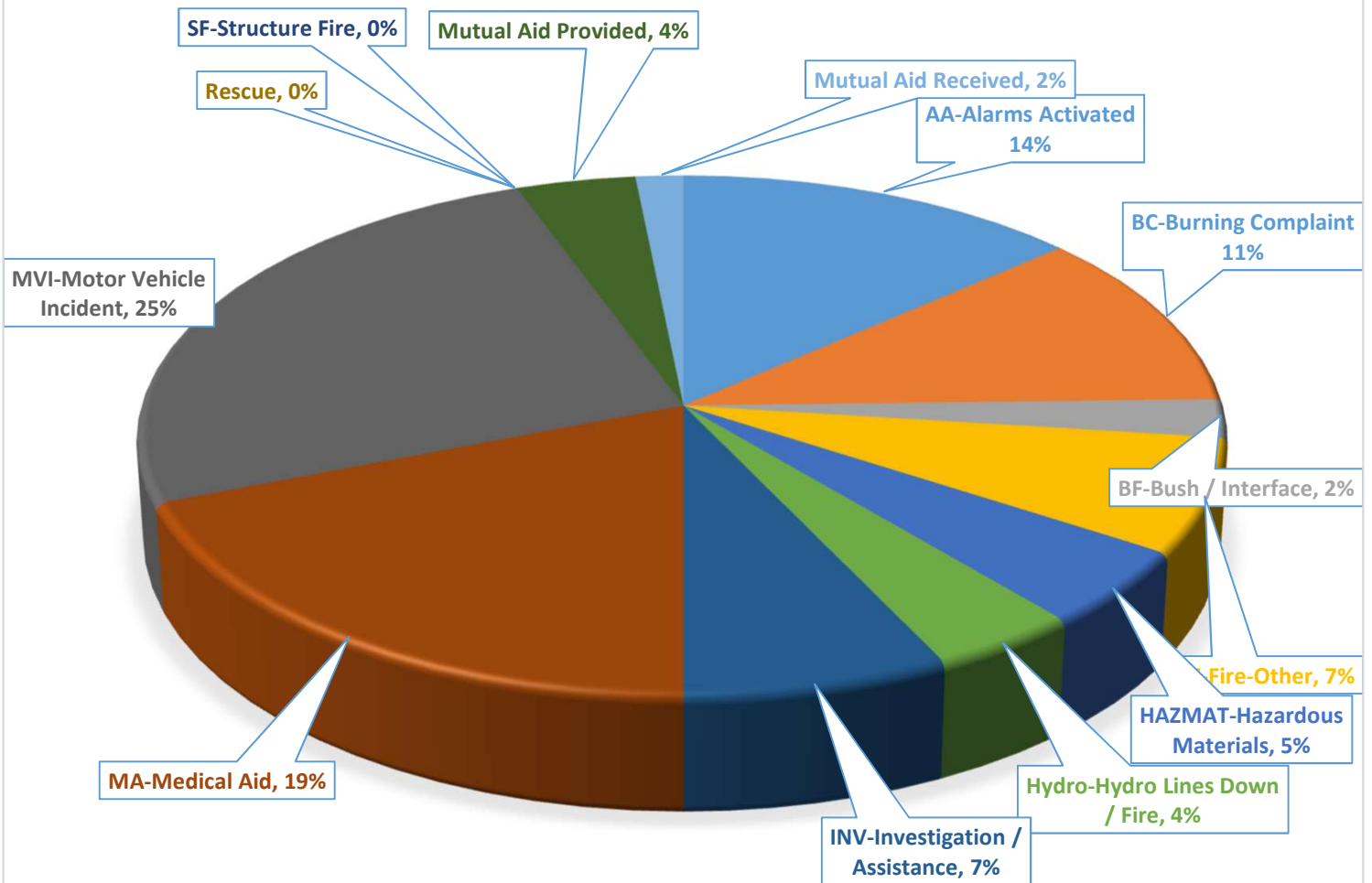
Year to Date 2020 96 (exc. practices)

Year to Date 2019 96 (exc. practices)

APPROVED:

Fire Chief Chris Geiger

JULY 2021 YTD TOTALS



- | | | | |
|------------------------------|---------------------------------|----------------------------------|-----------------------|
| ■ AA-Alarms Activated | ■ BC-Burning Complaint | ■ BF-Bush / Interface | ■ F-Fire-Other |
| ■ HAZMAT-Hazardous Materials | ■ Hydro-Hydro Lines Down / Fire | ■ INV-Investigation / Assistance | ■ MA-Medical Aid |
| ■ MVI-Motor Vehicle Incident | ■ Rescue | ■ SF-Structure Fire | ■ Mutual Aid Provided |
| ■ Mutual Aid Received | | | |



Ladysmith Fire /Rescue

P.O. Box 760 Ladysmith, B.C. V9G 1A5
Phone: 250-245-6436 • Fax: 250-245-0917



FIRE CHIEF'S REPORT

MONTH: **August 2021**

TYPE OF CALL OUT	J	F	M	A	M	J	J	A	S	O	N	D	YTD TOTALS
AA-Alarms Activated	3		3	3	3	3	2	4					21
BC-Burning Complaint	1		3	1	5	1	3	4					18
BF-Bush / Interface							3	0					3
F-Fire-Other		5				2	2						9
HAZMAT-Hazardous Materials	3			2		1							6
Hydro-Hydro Lines Down / Fire	3	1				1							5
INV-Investigation / Assistance	2			3		1	3	6					15
MA-Medical Aid	3	1	5	2	1	5	7	8					32
MVI-Motor Vehicle Incident	4	6	1	7	3	5	6	1					33
Rescue													0
SF-Structure Fire								1					1
Mutual Aid Provided		1			1	1	2	2					7
Mutual Aid Received		2											2
MONTH TOTALS (exc.. Practices)	19	14	12	18	13	20	28	26	0	0	0	0	150
Practices (Totals for each Month)	4	4	5	4	4	5	4	4					34

ALARMS ACTIVATED

1. 11 French St
Non-emergency - cooking
2. 631 1st Ave
Non-emergency - pullstation
3. 631 1st Ave
Non-Emergency - cooking
4. 317 French St
Non-Emergency - faulty sensor

COMPARISONS:

Year to Date 2021 150 (exc. practices)
Year to Date 2020 123 (exc. practices)
Year to Date 2019 112 (exc. practices)

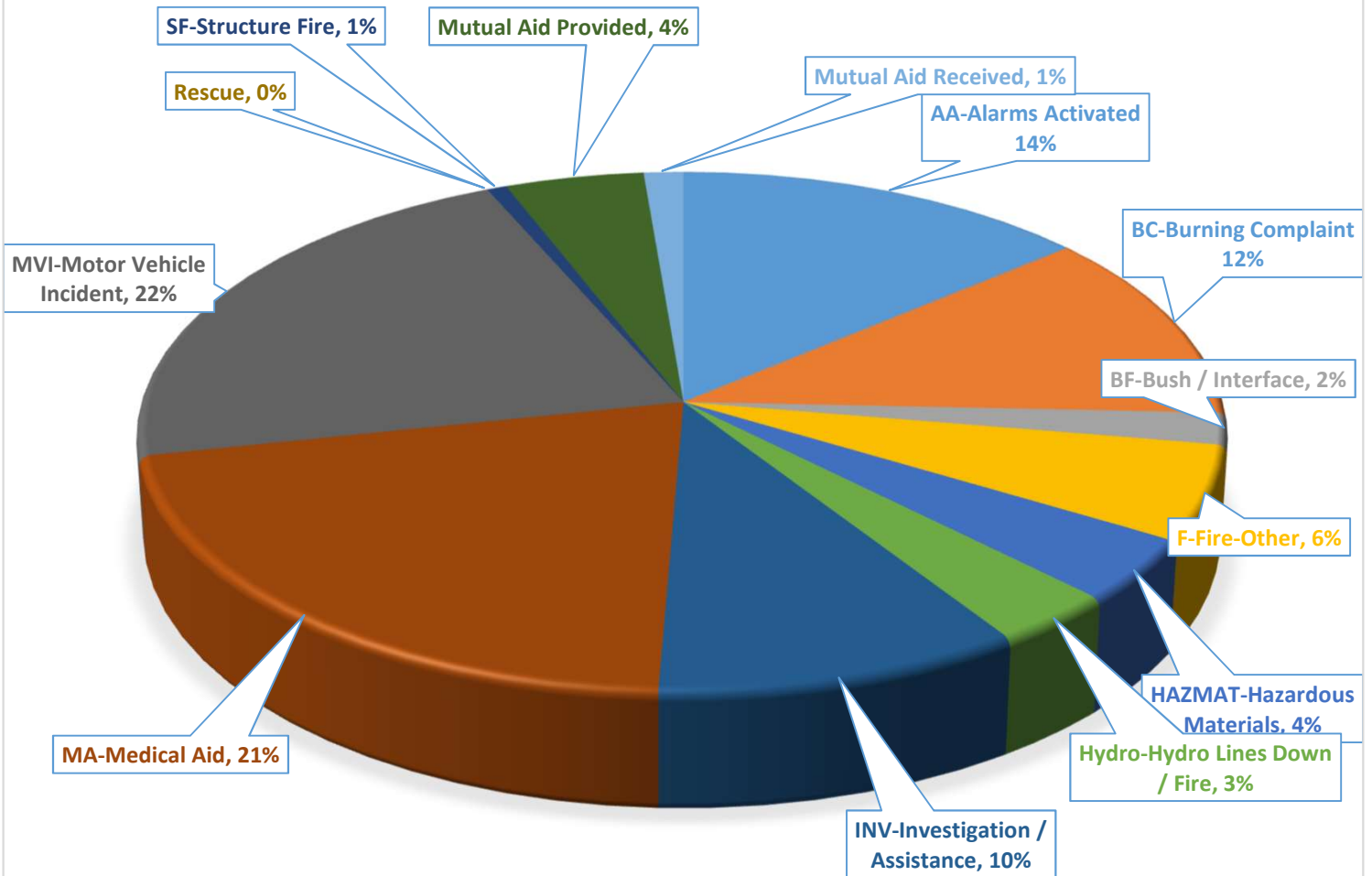
APPROVED:

Fire Chief Chris Geiger

Motor Vehicle Incident Locations

1. 626 1st Ave

AUGUST 2021 YTD TOTALS



- | | | | |
|------------------------------|---------------------------------|----------------------------------|-----------------------|
| ■ AA-Alarms Activated | ■ BC-Burning Complaint | ■ BF-Bush / Interface | ■ F-Fire-Other |
| ■ HAZMAT-Hazardous Materials | ■ Hydro-Hydro Lines Down / Fire | ■ INV-Investigation / Assistance | ■ MA-Medical Aid |
| ■ MVI-Motor Vehicle Incident | ■ Rescue | ■ SF-Structure Fire | ■ Mutual Aid Provided |
| ■ Mutual Aid Received | | | |

CAS Summary of Service Calls

Total calls by type:	8
Aggressive	2
At large	4
Confined	1
Other	1

01-Apr-21 to 30-Apr-21

Issue	Call #	Received	Type	Completed
Ladysmith			8 calls	
Aggressive			2	
	2113	26-Apr-21	Dog	29-Apr-21
	2108	13-Apr-21	Dog	28-Apr-21
At large			4	
	2114	30-Apr-21	Dog	03-May-21
	2111	22-Apr-21	Dog	24-Apr-21
	2109	20-Apr-21	Dog	30-Apr-21
	2107	12-Apr-21	Dog	22-Apr-21
Confined			1	
	2110	21-Apr-21	Dog	22-Apr-21
Other			1	
	2112	23-Apr-21	Dog	
Total:			8 calls	

CAS Summary of Service Calls

Total calls by type: **8**
 Aggressive 1
 Confined 4
 Noisy 3

01-May-21 to 31-May-21

Issue	Call #	Received	Type	Completed
Ladysmith			8 calls	
Aggressive			1	
	2122	26-May-21	Dog	
Confined			4	
	2120	26-May-21	Dog	27-May-21
	2119	25-May-21	Dog	29-May-21
	2118	21-May-21	Dog	21-May-21
	2115	06-May-21	Dog	06-May-21
Noisy			3	
	2121	26-May-21	Dog	
	2117	11-May-21	Dog	13-May-21
	2116	07-May-21	Dog	
Total:			8 calls	

CAS Summary of Service Calls

Total calls by type:	4
At large	1
Confined	1
Other	1
Unlicenced	1

01-Jun-21 to 30-Jun-21

Issue	Call #	Received	Type	Completed
Ladysmith			4 calls	
At large			1	
	2126	16-Jun-21	Dog	22-Jun-21
Confined			1	
	2123	02-Jun-21	Dog	03-Jun-21
Other			1	
	2125	10-Jun-21	Dog	10-Jun-21
Unlicenced			1	
	2124	07-Jun-21	Dog	22-Jun-21
Total:			4 calls	

Royal Canadian
Mounted Police

RECEIVED

AUG 16 2021

TOWN OF LADYSMITH

Gendarmerie Royale
du Canada

Security Classification/Designation
Classification/désignation sécuritaire

Ladysmith Detachment
320 6th Ave, P.O. Box 280
Ladysmith, B.C.
V9G 1A2

Your File - Votre référence

Our File - Notre référence

Mayor Aaron Stone
Town of Ladysmith
410 Esplanade
Ladysmith, B.C.
V9G 1A2

302-4

Date

April 13, 2021

1st Quarter Mayor's Report – January, February and March of 2021 with a comparison to the same time frame of 2020. Ladysmith Municipal Area only.

Type of Offence & Occurrences	1st Quarter 2021 Municipal area only	1st Quarter 2020 Municipal area only
Sexual Assaults	1 (historical)	1
Assaults	8	7
Break & Enter - Business	3	12
Break & Enter - Residence	2	0
Break & Enter - Other	4	7
Theft of Vehicle (2135-6)	3	2
Theft fm Vehicle - Over \$5K	0	0
Theft fm Vehicle - Under \$5K	8	26
Theft Over \$5K	2	0
Theft Under \$5K	12	13
Possession Stolen Property	3	0
Mischief/Property Damage Over \$5K	3	0
Mischief/Property Damage Under \$5K	21	22
Total Calls for Service, Ladysmith	379	502
Total Calls for service, Detachment	817	1001

Canada

Page 1 of/de 2

RCMP GRC 2823 (2002-11) WPT

Ladysmith Detachment
320 6th Ave, P.O. Box 280
Ladysmith, B.C.
V9G 1A2

Your File - Votre référence

Our File - Notre référence

Mayor Aaron Stone
Town of Ladysmith
410 Esplanade
Ladysmith, B.C.
V9G 1A2

302-4

Date

July 21, 2021

2nd Quarter Mayor's Report – April, May and June of 2021 with a comparison to the same time frame of 2020. Ladysmith Municipal area only.

Type of Offence & Occurrences	2nd Quarter 2021 Municipal area only	2nd Quarter 2020 Municipal area only
Sexual Assaults	1	2
Assaults	3	11
Break & Enter - Business	1	7
Break & Enter - Residence	4	0
Break & Enter - Other	0	5
Theft of Vehicle (2135-6)	3	1
Theft fm Vehicle - Over \$5K	0	0
Theft fm Vehicle - Under \$5K	6	10
Theft Over \$5K (2130-13)	1	1
Theft Under \$5K (2140-13)	13	10
Possession Stolen Property (2156-0)	2	2
Mischief/Property Damage Over \$5K (2170-3)	0	0
Mischief/Property Damage Under \$5K (2170-4)	22	19
Total Calls for Service, Ladysmith	525	473
Total Calls for service, Detachment	1109	997

STAFF REPORT TO COMMITTEE OF THE WHOLE

Report Prepared By: Erin Anderson, Director of Financial Services
Reviewed By: Allison McCarrick, CAO
Meeting Date: September 28, 2021
File No:
Re: 2021 Q2 (April – June) Financial Update

RECOMMENDATION:

That the Committee receive the staff report dated September 28, 2021, regarding the 2021 Q2 Financial Update.

EXECUTIVE SUMMARY:

The second quarter of the 2021 fiscal year is projecting a surplus balance in consolidated operation.

PREVIOUS COUNCIL DIRECTION

N/A

INTRODUCTION:

This is the second quarterly financial update report to the Committee.

This report keeps the Committee informed of the financial state of the organization and is a snapshot of the Town's finances for a point in time. Payments and deposits continue to be received, which will change the financial figures. These statements are not audited.

Operating Budget

The total operational activities, with projections to December 31st show an overall projected surplus as seen in Table 1 titled "Operations to June, 2021". Being the second quarter, many revenues and expenses should be in the 48% – 52% range at this time. COVID-19 continues to affect all aspects of operations, though the impact is felt the greatest in the recreation revenues and expenses. Fortunately, other revenue sources have already met or exceeded budgeted amounts and will be used to offset any shortfall in the specific areas.

Table 1: Operations to June 2021

	Actuals to 30 Jun 2021	Approved Budget 2021	Actual Variance %	Year-End Forecast	Year-End Forecast Variance	Forecast Variance %
REVENUES						
Taxation	12,180,000	12,161,000	100%	12,198,000	(37,000)	0%
Sale of Services	2,002,000	4,141,000	48%	4,153,000	(12,000)	0%
Licence, Permits, Rentals & Penalties	965,000	788,000	122%	1,359,000	(571,000)	-72%
Development Fees	-	43,000	0%	43,000	-	0%
Grants	4,000	715,000	1%	698,000	17,000	2%
Investment Income	113,000	236,000	48%	236,000	-	0%
REVENUES Total	15,266,000	18,084,000	84%	18,741,000	(657,000)	-4%
EXPENSES						
General Government Services	1,087,000	2,242,000	48%	2,153,000	89,000	1%
Protective Services	471,000	1,918,000	25%	1,747,000	171,000	5%
Transportation Services	639,000	1,469,000	43%	1,434,000	35,000	0%
Solid Waste	225,000	562,000	40%	501,000	61,000	-1%
Cemetery Operations	18,000	29,000	62%	33,000	(4,000)	4%
Development Services	334,000	680,000	49%	680,000	-	0%
Parks	384,000	760,000	51%	760,000	-	-1%
Recreation & Cultural Services	1,367,000	2,792,000	49%	2,705,000	87,000	0%
Sewer Services	810,000	1,599,000	51%	1,595,000	4,000	2%
Water Services	1,175,000	1,588,000	74%	1,801,000	(213,000)	3%
Debt Payments	635,000	1,608,000	39%	1,225,000	383,000	25%
Transfers	1,902,000	2,837,000	67%	2,837,000	-	0%
EXPENSES Total	9,047,000	18,084,000	50%	17,471,000	613,000	3%
Surplus/(Deficit)	6,219,000	-		1,270,000		

Revenue – Taxes & Parcel Taxes

Projected to receive \$37k more in revenue

The 2021 property taxes were levied in May. There were additional properties included in the sewer and parcel tax rolls that resulted in increased funds received.

Revenue – Sale of Services (Fees & Charges)

Projected to receive \$12k more in revenue

- Water, Sewer & Solid Waste fees are levied each quarter of 2021:
 - Water consumption continues to be greater in 2021 than the same time period in 2020 resulting in greater revenues, though this is offset by current and anticipated leak adjustment requests. Even with the adjustments, the water utility remains consistent with last year at 48% of budget (2020 – 46%).
 - Sewer charges were 51% of budget (2020 – 51%). Expected to exceed revenues due to new properties in 2021.
 - Solid Waste fees were 48% of budget (2020 – 46%). Expected to meet revenues by year-end.
- Cemetery revenue was 90% of budget (2020 – 32%). These revenues, and corresponding expenses are demand-based so variations are normal. This area is expected to meet revenues by year-end.
- Recreation revenues continue to be a struggle at 33% of budget due to the greater restrictions limiting access to the recreation facility. The Province's COVID Safe Restart funds continue to offset revenues.

Revenue – Licence, Permits, Rentals, Penalties**Projected to receive \$571k more in revenue**

- Business Licence revenue is on budget.
- Dog Licence revenue is not expected to meet budget projections by \$2k.
- Permit revenues (building, subdivision and planning) have already exceeded budget projections by \$456k.
- Rental revenues are at 47% of budget (2020 - 53%). This budget was also reduced due to COVID and projected revenue losses offset by the COVID Safe Restart funds.
- Interest charged on unpaid taxes is not expected to meet budget projections by \$2k.
- New for 2021, the penalty amounts were staggered (July 2nd - 2% and September 15th - 8%). It is estimated that the penalty revenues will be at least \$14k less than budgeted.

Revenue – Operating Grants**Projected to receive \$17k less than budget**

The Traffic Fine Revenue payment (received in July) was \$22,148 less than what was received in 2021, resulting in this area projected to not meet budget projections.

Revenue – Investment Income**Projected to be on budget**

Investment revenue is on track to meet budget expectations.

Expenses - General Government Services**Projected to be \$89k under budget**

Overall, this area is under budget. Virtual meetings, conferences and seminars account for a large portion of budget savings. Interest savings on property borrowing also accounts for a portion of the savings.

Expenses - Protective Services**Projected to be \$171k under budget**

The Fire Department and Animal Control are consistent with the same period as last year and are expected to be on budget by year-end. Bylaw compliance expenses are less in 2021 than in 2020 as additional expenses were authorized in the previous year to assist in compliance with Public Health Orders.

There will be a significant cost savings in the policing budget due to unfilled RCMP member positions.

Expenses - Transportation/Public Works**Projected to be \$35k under budget**

There are some cost savings due to Public Works employees redeployed to capital projects, though there are some anticipated overages in materials and supplies as well as contract services that absorb some of the savings.

Expenses - Solid Waste**Projected to be \$61k under budget**

The solid waste service is projected to be \$61k under budget by year-end mainly due to the delay in completing Phase 2 of the recycling initiative, started by the Sustainability Ambassadors. Tipping fees are expected to exceed the budgeted amount, but there will be a cost savings in advertising.

<i>Expenses – Cemetery Operations</i>	Projected to be \$4k over budget
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The cemetery services are at 62% of budget versus 43% of budget at this time last year. This area is expected to be over budget at year end, though a corresponding revenue partially offsets this overage.

<i>Expenses –Development Services</i>	Projected to be on budget
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The Development Services area currently is at 49% of budget (2020 – 39%) and anticipates continuing on budget for the remainder of the year.

<i>Expenses –Parks</i>	Projected to be on budget
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Parks spending is greater in 2021 than in 2020 at 51% versus 42%. This difference is due to full staffing which allowed regular operations to resume. The spending continues to be similar to 2019 levels.

<i>Expenses –Recreation & Culture Services</i>	Projected to be \$87k under budget
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Projections for recreation services continue to be difficult to predict. At budget time, it was thought that many of the recreation services offered would be back to regular operations, though the Public Health Orders continue to restrict programing.

The Fitness and Aquatic area budgets are trending higher than average due to extra staff utilized in the area for COVID. This overage will be offset with COVID funds at year-end. Recreation programs continue to be under budget (27% of budget), though this also means that the corresponding revenue will be under budget.

Facility Maintenance is expected to be on budget.

<i>Expenses –Sewer Services</i>	Projected to be \$4k under budget
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Sewer operations spending for the first quarter of 2021 is at 51% (2020 - 46%). Though employee costs continue to be under budget as some members of the crew were redeployed to Water Utility, the costs of treatment chemicals and lab testing are utilizing much of the savings within the sewer utility.

<i>Expenses – Water Services</i>	Projected to be \$213k over budget
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The Water Services department is expected to be over budget by year-end, even with the additional funds allocated from reserve. Much of this is due to the consultant's attention to the Water Filtration Plant as well as costs of the chemicals required for the treatment process.

<i>Expenses – Debt Payments</i>	Projected to be \$383k under budget
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The Town's Water Supply Project grant application was unsuccessful. Without the grant, the project will now be nearly 4 times greater. The funds allocated towards the debt servicing will be used within the water utility to first offset the expected deficit and the remainder will be reserved in order to apply it towards other future water capital projects.

I approve the report and recommendation.

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

- A. Consolidated Statement of Operations June 30, 2021
- B. Consolidated Statement of Financial Position – as of June 30, 2021
- C. Listing of Vendor Payments over \$25,000 January 1 – June 30, 2021
- D. January – June 2021 Capital
- E. Projected reserve balances to December 31, 2021

Attachment A - Consolidated Statement of Operations June 30, 2021

TOWN OF LADYSMITH CONSOLIDATED STATEMENT OF OPERATIONS AS AT June 30, 2021

	Actuals 2021	Budget 2021	% of Budget
Revenue			
Taxes:			
Municipal purposes taxation	7,565,295	7,565,288	100%
Policing taxation	1,355,358	1,355,338	100%
Parcel taxes	3,077,504	3,077,480	100%
Grants in Lieu	147,029	163,080	90%
Sale of Services:			
General - other	59,782	26,855	223%
Recreation	106,843	328,406	33%
Protective Services	-	85,475	0%
Cemetery	19,475	21,580	90%
Solid Waste	182,562	665,618	27%
Sewer	415,222	1,610,390	26%
Water	296,571	1,402,946	21%
Investment Income	118,930	235,883	50%
Licence, Permits, Rentals & Penalties	965,436	788,442	122%
Grants	2,112,794	28,296,120	7%
Donations and contributed property	10,900	2,111,696	1%
Gain (loss) on foreign exchange	-	-	
Gain (loss) on disposal of tangible capital assets	171,545	-	
Development Cost Charges utilized	-	1,182,620	0%
Gas tax funds utilized	216,611	1,491,019	15%
	<u>16,821,858</u>	<u>50,408,236</u>	33%
Expenses: (excluding amortization)			
General government services	998,869	2,710,075	37%
Protective services	485,649	2,005,167	24%
Transportation services	679,472	1,981,961	34%
Garbage services	198,992	582,247	34%
Cemetery services	16,726	29,624	56%
Development services	359,454	979,428	37%
Recreation and cultural services	1,254,553	9,415,816	13%
Parks operation services	345,906	842,184	41%
Sewer	831,507	2,277,429	37%
Water	1,229,775	2,688,696	46%
Operating Expenses	<u>6,400,905</u>	<u>23,512,627</u>	27%
General Capital Projects	479,537	12,393,039	4%
Water Capital Projects	175,224	24,661,856	1%
Sewer Capital Projects	134,692	705,915	19%
Proceeds from New debt (capital financing)	-	6,200,000	0%
Principal Payments	537,438	989,107	54%
Internal Funding	1,466,572	5,654,308	-26%
	<u>7,627,489.71</u>	<u>-</u>	
BALANCE			

Attachment B - Consolidated Statement of Financial Position – as of June 30, 2021

TOWN OF LADYSMITH CONSOLIDATED STATEMENT OF FINANCIAL POSITION AS AT June 30, 2021

	2021
Financial Assets	
Cash and short term deposits	40,654,767
Accounts receivable:	
Property Taxes	8,935,437
User Fees	246,469
Other	516,862
	<u>50,353,536</u>
Liabilities	
Accounts payable and accrued liabilities	8,235,192
Taxes payable to other agencies	131,309
Post-employment benefits	319,100
Deferred revenue	838,309
Refundable deposits and other	2,317,470
Restricted reserves - other	489,399
Development cost charge reserve	6,208,948
Federal gas tax reserve	1,832,452
Obligations under capital lease	-
Equipment Financing	824,594
Short term debt (financing)	952,700
Debenture debt	15,651,701
	<u>37,801,175</u>
Net Financial Assets	12,552,361
Non-Financial Assets	
Tangible Capital Assets	113,991,578
Capital Projects in Current Year	789,453
Prepays	37,335
Inventory	75,722
	<u>114,894,088</u>
Accumulated Surplus	<u>127,446,448</u>

Attachment C - Listing of Vendor Payments over \$25,000 January 1 – June 30, 2021

Supplier Name	Total
BC HYDRO	\$ 277,567
MINISTER OF FINANCE	127,980
MUNICIPAL FINANCE AUTHORITY	41,370
MUNICIPAL PENSION FUND	480,618
RECEIVER GENERAL (Payroll only)	895,343
WORKSAFE BC	86,429
ICBC	47,524
MUNICIPAL INSURANCE ASSOCIATION OF BC	215,614
STEWART MCDANNOLD STUART	32,477
PACIFIC BLUE CROSS	133,616
PIPE-EYE VIDEO INSPECTIONS & SERVICES	26,247
RECEIVER GENERAL FOR CANADA	469,473
COLUMBIA FUELS A DIV OF PARKLAND FUEL CORP	64,355
MINISTRY OF SMALL BUSINESS AND REVENUE	283,314
ESC AUTOMATION INC	45,873
LADYSMITH HEALTH CARE AUXILIARY	27,400
BEAVER ELECTRICAL MACHINERY LTD	80,590
GOLDER ASSOCIATES LTD	267,816
NIKO PROJECTS INC.	46,856
DON MANN EXCAVATING LTD	274,790
METRO MOTORS LTD	75,929
DAVID STALKER EXCAVATING LTD	274,431
GOODMAN PLUMBING LTD	28,100
KOERS & ASSOCIATES ENGINEERING LTD	84,535
WASTE CONNECTIONS OF CANADA INC	135,059
ICONIX WATERWORKS LIMITED PARTNERSHIP	27,497
ASSOCIATED ENGINEERING (BC) LTD	168,374
JOHNSON CONTRACTING	68,143
US BANK	103,031
COMOX VALLEY REGIONAL DISTRICT	29,215
RUSHWORTH ELECTRICAL SERVICES INC	30,584
BC LIFE & CASUALTY COMPANY	80,102
TETRA TECH CANADA INC	46,815
ECORA ENGINEERING & RESOURCE GROUP LTD	41,740
VEER HOLDINGS INC	30,130
JENKINS MARINE LTD	43,952
CLEARTECH INDUSTRIES INC	137,611
CHECKWITCH POIRON ARCHITECTS INC	58,878
WEST COAST PRE FAB LTD	108,228
CUPE LOCAL 401	41,550
COWICHAN VALLEY REGIONAL DISTRICT	811,616
DISTRICT OF NORTH COWICHAN	38,601
WSP CANADA INC.	47,940
FMI DEVELOPMENTS LTD	72,515

HUB CITY PAVING LTD	44,535
FLOCOR INC	37,157
VANCOUVER ISLAND REGIONAL LIBRARY	212,912
NAC CONSTRUCTORS LTD	547,555
WATERHOUSE ENVIRONMENTAL SERVICES CORPORATION	51,408
AHNE STUDIO	43,960
CENTRIX CONTROL SOLUTIONS (PQ)	30,594

Attachment D – January to June 2021 Capital

Department	Project Name	2021 BUDGET	Spent/ Committed to June, 2021	Q2 Status
Development Services				
	Waterfront Zoning Update	10,000	-	Not Started
	Waterfront Land Use Approvals	5,000	-	Not Started
	Planning Guides & Checklists	8,800	-	Not Started
	OCP Review Phase I	307,000	200,636	On track
	Waterfront Stage 1 Remediation	320,425	259,181	On track
Corporate				
	Website Upgrade	4,665	2,492	Complete
	Council Chambers - chairs	10,000	-	On track
Parks & Rec				
	Downtown Washrooms	99,696	36,738	Complete
	Public Works Washroom & Reno	89,864	87,372	Complete
	Mobile Food Service site upgrades	5,957	-	Complete
	Rotary Boat ramp float replacement	105,000	97,059	On track
	Forrest Field Phase 1	370,000	23,732	On track
	Sports Field Improvements - Aggie	75,000		Requires \$
	Spray Park Upgrades	24,400	17,405	On track
	Trail Kiosk, Maps & Markers	15,000	-	Not Started
	Golf Deflection Netting	3,516	3,516	Complete
	Root Street Kin Park	65,000		On track
	Tree replacement Program	12,000	1,218	On track
	Paved accessible pathway Amphitheatre	5,000	-	Complete
	Lower Holland Creek Trail Boardwalk Repairs	10,500	-	Delayed
	Brown Drive Park - Railing	5,500	-	Not Started
	High Street Ball Field - infield turf & irrigation	25,000	-	Not Started
	Art in accordance with Arts Strategy	10,000	-	Not Started
	Child Care Space Creation (Grant)	917,110	69,833	On track

Department	Project Name	2021 BUDGET	Spent/ Committed to June, 2021	Q2 Status
	Youth Communication Plan	6,500	-	Not Started
	Soundproofing interview rooms RCMP	15,000	-	Delayed
	Accessibility Audit & Phase 1 Implementation	25,000	-	Not Started
	Emergency Support Services Program	7,563	4,104	Complete
	Machine Shop ICIP- CCR(Grant Denied)	4,247,390	-	Requires \$
	Lot 108 ICIP- RNC (Grant Denied)	2,181,250	-	Requires \$
	RCMP Gate	2,600	5,837	Complete
	Poverty Reduction Action Plan (Grant)	7,925	7,925	On track
	Lights at City Hall	6,000	3,521	Complete
	Transfer Beach Washrooms (Grant)	408,000	-	On track
	Transfer Beach Shelters (Grant)	135,000	-	On track
	Aggie Hall Exhaust fan/mop sink install	10,000	-	Not Started
	Doorway from Gym to FJCC Hallway	7,000	-	On track
	FJCC Aerobics studio floor refinish	11,000	-	On track
	FJCC Floor Scrubber	13,000	-	On track
	HVAC unit (City Hall)	15,000		Not Started
	Museum siding, Roof & Gutters	70,000	397	On track
	PW Building -Roof Replacement Phase 1	100,000		On track
	Fire hall vehicle exhaust systems	60,000	-	Not Started
	VET Baffles - Gymnasium	10,000	-	Not Started
	Fitness equipment - Cardio	70,000		Not Started
	Seniors Strategy	25,000		Not Started
	Pool Chlorine Conversion	35,000	-	Not Started
Public Works				
	Paving: 4th Ave, Methuen to Belaire	1,202,410	3,650	Delayed
	Engineering & Construction Stnds Review	7,750	7,717	On track
	Snow Equipment	35,895	-	On track
	Holland Creek Crossing (traffic)	2,500,000	-	Delayed

Department	Project Name	2021 BUDGET	Spent/ Committed to June, 2021	Q2 Status
	Vehicle - Single Axle Dump Plow Truck	245,000	-	On track
	Intersection Improvement: 4th Ave @ Belair	300,000		Not Started
	Dogwood Culvert Engineering- Design	19,071	4,630	On track
	Sidewalk - Buller Street	75,000		Not Started
	Roundabout - Ludlow & Rocky Cr (design)	87,063	855	On track
	GIS Stage 2 Implementation	16,525	5,436	On track
	Retaining Wall Options	100,000	23,909	On track
	Storm main - French to Kitchener	40,000	5,160	On track
	Bollards - 1st Avenue	30,000		Delayed
	Half Road incl Sidewalk - Russell Rd: 760 to 740	42,000		On track
	Cemetery - Fence & Gate	50,000		On track
	Walkem Culvert Engineering	15,000	-	Not Started
	Half Road incl Sidewalk - Russell Rd: Ridgeway	50,000		Delayed
	Storm Water Manhole Replacement Program	20,000	-	On track
	Storm Water Master Plan	300,000	-	Delayed
	Churchill Improvements	25,000	-	On track
	Pre Emption Light Hwy & 1st	21,330	-	On track
	Paved Food Truck Pad & Walkway	96,360	-	On track
	Transfer Beach Park Amenities (Grant)	27,192	-	On track
	Transfer Beach Canoe Shelter (salish wind) (Grant)	35,000	700	On track
	Holland Dam - Storage Feasibility , Tendering, pre Construction	86,887	-	Delayed
	Holland Lake Generator & Controls	8,852	-	On track
	Stocking Lake Dam Study	193,392	82,545	On track
	Water Meter replacement	50,000	12,500	On track
	Stocking Lake Supply main PRV Station	70,000	-	Delayed
	Holland Dam - Storage Upgrade (construction)	12,410,000	-	Requires \$
	Water Supply Main Holland to Stocking (Interconnection)	6,400,000		Requires \$

Department	Project Name	2021 BUDGET	Spent/ Committed to June, 2021	Q2 Status
	Water Supply Main Stocking Lake (twinning)	4,350,000		Requires \$
	Methuen Loop Connection to 6th Ave	32,129	-	Not Started
	Edgewood Water Meter Replacement	48,068	-	Requires \$
	Sodium Hypo-Chlorite Arbutus Treatment Plant	86,212	32,300	On track
	Water Valve Replacement Program	25,000	9,078	On track
	Balancing Water intake dredging	50,000	-	Delayed
	Stocking Lake Main Monitoring System	181,839	4,836	On track
	Chicken Ladder Flood Hardening	10,755	11,348	Complete
	Holland Supply Main Replacement Phase 2	166,989	130,359	Complete
	Oyster Bay Dr Water main	345,639	10,476	On track
	Battie to Thetis water main loop	80,000		On track
	Chicken ladder sensor WFP	25,000	25,000	Delayed
	Chicken Ladder Culvert Replacement	75,000	-	Delayed
	Chicken Ladder Gate Replacement	7,500	8,413	Complete
	Water main Replacement - French St	190,000	1,937	On track
	Watermain: Methuen 4th - 5th	145,000	4,329	On track
	Skid Steer Trailer	12,000	-	On track
	Water Leak Detection Device	8,675	8,673	Complete
	Confined Space Equipment	99,825	-	On track
	Watermain - Forward Road	58,000	-	On track
	Flow Monitoring	54,937	-	On track
	Gill Road Lift Station	29,533	-	Complete
	Sewer UV Pilot Study	138,985	28,291	Complete
	Emergency Lift Station Generator -Gill Rd	146,286	118,142	Complete
	Transfer Beach Lift Station	50,000	-	On track
	Screeners Replacement - WWTP	61,926	53,050	On track
	Marine Signage for WWTP outfall line	30,000	-	On track
	Sewer Source Control Program (bylaw drafting)	10,000		Delayed
	Inflow & Infiltration Connections	86,296	-	On track

Department	Project Name	2021 BUDGET	Spent/ Committed to June, 2021	Q2 Status
	Compost Conveyor Belt	20,000	16,550	Complete
	Environmental Impact Study Y1	100,000		On track
	Spirogestor Valve Removal	10,000	-	Delayed
	Caretaker Building	50,000	-	Delayed
	Sewer main upgrade Rocky Creek Main - Oyster Bay Rd	80,750		Not Started
	Inflow & Infiltration Connections	100,000		On track
	Salsnes UV Air Filter	15,000	-	On track
	Spirogestor Pump Room -Roof Replacement	10,000	-	Not Started
	Sandy Beach Lift Station Generator	232,420	-	Delayed
Protective Services				
	Utility Truck (Fire) Replace 1995 Chevy	75,000	72,628	Complete
	Chief's Truck - Command 1 Vehicle	80,752	78,874	On track
	Fire Pro 2	8,560	5,666	On track
	Gear Grid	15,000	14,980	On track
Waterfront				
	Arts & Heritage Hub (Phase 1)	4,380,000	545,119	On track
	Geotechnical study for road alignment	50,000	-	Not Started
	Legal survey of development parcels	17,934	-	On track
	Storm drainage relocation	15,000	-	Not Started

Attachment E - Projected reserve balances to December 31, 2021

	Balance as of June 30, 2021	Projected balance as of December 31, 2021	Example of Projects being funded from these reserves
Development Cost Charges			
Sewer	1,420,751	1,395,448	<ul style="list-style-type: none">Rocky Creek RoundaboutForrest Field4th Ave intersection improvementsHolland Creek Crossing
Water	1,764,922	1,763,650	
Roads	1,372,720	538,717	
Parks	1,183,825	942,120	
Storm	466,731	468,059	
Restricted			
Gas Tax	1,832,452	885,847	<ul style="list-style-type: none">Rocky Creek RoundaboutForrest FieldOCPLift Station generators4th Ave pavingRotary Boat ramp Float rplcStorm water master planRoot Street Kin Park
Green Streets	1,546	1,562	
Parking	109,189	109,791	
Amphitheatre	10,546	11,019	
220 High Street - capital	58,746	60,993	
630 2nd Ave - capital	71,468	77,409	
LRCA capital contribution	237,905	237,905	
Non Restricted			
Municipal Office Building	475,000	535,000	<ul style="list-style-type: none">Offset Recreation revenuesAsset replenishmentArts & Heritage HubWaterfront Area Plan
Covid Safe Restart	2,204,486	1,949,388	
Tax Sale	27,735	27,783	
Real Property	1,129,892	728,229	
Amenity Fund	117,435	21,046	
Perpetual Safety Fund	13,801	13,825	
Appropriated Equity			
Carry Forward - general	2,550,915	-	<ul style="list-style-type: none">Various capital projectsArts & Heritage Hub
Carry Forward - water	1,342,308	-	
Carry Forward - sewer	901,516	-	
General	1,202,406	1,070,871	
Protective Services	1,390,719	1,390,719	
Fire Hall Building	185,499	185,499	
MMBC Rebate	624,841	717,157	
Public Works	387,571	276,571	
Equipment Reserve	360,197	360,197	
Development	169,556	164,556	
Waterfront Area Plan	225,730	243,435	
Recreation	641,746	572,155	
Infrastructure Deficit Reserve	412,150	498,675	
Sewer Reserve	943,580	927,811	
Water Reserve	2,661,505	2,661,505	

STAFF REPORT TO COMMITTEE OF THE WHOLE

Report Prepared By: Erin Anderson, Director of Financial Services
Reviewed By: Allison McCarrick, CAO
Meeting Date: September 28, 2021
File No:
Re: **Financial Impact of new Summer Water Rates and Single Family Dwelling with Base Rates**

RECOMMENDATION:

That the Committee recommend that Council direct staff to amend "Waterworks Regulations Bylaw 1999, No. 1298" to include:

1. A single family dwelling with a suite rate structure based on 1.5 times the single family dwelling charge and allowing an initial consumption of 37.5m³ per quarter; and
2. A new step rate for water consumption greater than 200m³ for single family dwellings for only the quarters April to June and July to September, at a rate of \$3.1701 per cubic metre subject to bylaw amendments.

EXECUTIVE SUMMARY:

Staff completed the analysis of two water rate amendments resulting in (1) increasing the base rate for single family dwellings with a suite, increasing by \$26.33 per quarter and allowing an initial consumption of 37.5m³; and (2) adding a new step rate starting at 200m³ to target excess water consumption in the summer months.

PREVIOUS COUNCIL DIRECTION

Resolution	Meeting Date	Resolution Details
CW 2021-045	07/13/2021	That the Committee direct staff to report back at a future Committee of the Whole meeting the impact of establishing: a. a single family dwelling-with-a-suite rate structure based on 1.5 times the single family dwelling charge, allowing an initial consumption of 37.5m ³ for the quarter; and b. an additional charge for summer water consumption starting at 200m ³ and increasing in increments of 25m ³ , charging an additional 30% per amounts for the single family dwelling rate and the single family dwelling with a suite structure

INTRODUCTION/BACKGROUND:

Staff presented various scenarios for alternative water rates structures at a previous Committee of the Whole meeting. This report summarizes the two options as requested:

Single Family Dwelling with a Suite

There are 186 single family dwellings with a secondary suite (SFD+) within the Town. Based on 2021 Q2 data, the average consumption for these properties is 74m³ and the average water bill is \$95.33. If the new rate structure of a base charge of \$78.99 (1.5 x \$52.66) which includes the initial 37m³ was implemented, an additional \$15.44 would be charged per quarter based on 74m³.

Comparison based on 74m³

	Current SFD+ Structure	Proposed SFD+ Structure	Current Single Family Dwelling Structure
Base Rate	52.66	78.99	52.66
Consumption Charge	42.67	31.79	51.13
Total	95.33	110.78	103.79

The largest increase would be \$26.33 charged for SFD+ using less than the 25m³ which currently costs \$52.66 and would now cost \$78.99.

Of the 186 suites, there were:

- 10 properties that consumed less than 25m³. Each property would now pay \$26.33 more;
- 25 properties that consumed between 25m³ and 37.5m³. Each property would now pay between \$15.43 and \$26.32 more; and
- 151 properties using more than the new base consumption of 37.5m³, resulting in paying an additional \$15.44.

Summer Water Consumption

Winter consumption for Single Family Dwellings (SFD) is 36.5m³ and 57.5m³ for Single Family Dwelling with a suite (SFD+). Winter consumption usually represents the baseline water use and any consumption above the baseline is optional water use.

Based on 2020 consumption, the table below shows the number of properties exceeding 200m³ in consumption during the periods April to June and July to September:

	Single Family Dwelling	Single Family Dwelling with Suite
Q2 – April to June	14	4
Q3 – July to September	95	11

Looking further, the table below shows the properties exceeding 300m³:

	Single Family Dwelling	Single Family Dwelling with Suite
Q2 – April to June	0	1
Q3 – July to September	24	3

If a new SFD rate of 3.1701 was added starting at 200m³, the difference charged would be:

	Currently	Proposed	Difference
SFD using 150 m ³	\$ 246.43	\$ 246.43	0
SFD using 250 m ³	\$ 490.28	\$ 526.86	+ \$ 36.58
SFD using 350 m ³	\$ 734.13	\$ 843.87	+ \$ 109.74
SFD using 450 m ³	\$ 977.98	\$ 1,160.87	+ \$ 182.89

No adjustment to the SFD with a suite is proposed at this time as very few properties would be affected. Staff will continue to monitor this category's consumption.

The objective of this increase in rates is to change watering behaviours; the Town does not expect to see a substantial increase in water rates revenue.

ALTERNATIVES:

The Committee can choose to recommend that Council:

1. Make all water rates the same, regardless of the end user.
2. Keep the existing water rate structure.

FINANCIAL IMPLICATIONS:

Water rates are charged based on demand. As rates increase, consumption often decreases.

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

If passed, staff will create a specific communications package for single family dwellings with suites notifying them of the upcoming change. Also, before the summer months of 2022, Staff would add a notification to the single family dwelling properties that currently use excess of 200m³, alerting them to the new rate tier.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|--|--|
| <input type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings | <input type="checkbox"/> Multi-Use Landscapes |
| <input type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input type="checkbox"/> Healthy Community | <input type="checkbox"/> Local, Diverse Economy |
| <input checked="" type="checkbox"/> Not Applicable | |

ALIGNMENT WITH STRATEGIC PRIORITIES:

☒ Infrastructure

☐ Community

☐ Waterfront

☐ Economy

☐ Not Applicable

I approve the report and recommendations.

Allison McCarrick, Chief Administrative Officer

STAFF REPORT TO COMMITTEE OF THE WHOLE

Report Prepared By: Donna Smith, Manager of Corporate Services
Reviewed By: Allison McCarrick, Chief Administrative Officer
Meeting Date: September 28, 2021
File No:
Re: Proposed Amendments to “Council Procedure Bylaw 2009, No. 1666”

RECOMMENDATION:

That the Committee recommend that Council direct staff to prepare amendments to “Council Procedure Bylaw 2009, No. 1666” as identified in the staff report dated September 28, 2021, including:

1. Various housekeeping amendments;
2. Scheduling specifications to ensure that a meeting is not held during the first week of January and that only one meeting is held in August;
3. Changing the Regular Council Meeting start time to 6:00 p.m.;
4. Removing the section on Public Hearings and preparing a Public Hearing Policy; and
5. Adding wording to reflect recent amendments to the *Community Charter* related to electronic meetings.

EXECUTIVE SUMMARY:

The Provincial Government has amended the *Community Charter* and *Local Government Act* to include new options for holding electronic meetings. The Province suggested that local governments should review their procedure bylaws to ensure that appropriate wording is included if a council wishes to proceed with electronic meetings once they are permitted (after Ministerial Order M192 expires at midnight on September 28, 2021). Staff are requesting that the Committee recommend that Council direct staff to proceed with amendments to “Council Procedure Bylaw 2009, No. 1666” and a Public Hearing Policy as outlined in this staff report (Attachments A & B).

PREVIOUS COUNCIL DIRECTION:

Resolution	Meeting Date	Resolution Details
CS 2019-421	12/16/2019	That Council adopt Town of Ladysmith Council Procedure Bylaw 2009, No. 1666, Amendment Bylaw (#3) 2019, No. 2023”.
CS 2018-374	10/02/2018	That Council adopt “Town of Ladysmith Council Procedure Bylaw 2009, No. 1666, Amendment Bylaw (No. 2), 2018, No. 1971”.

Resolution	Meeting Date	Resolution Details
CS 2014-015	01/06/2014	It was moved, seconded and carried that Town of Ladysmith Council Procedures Bylaw 2009, No. 1666, Amendment Bylaw (No. 1) 2014, No. 1845 be adopted.
CS 2009-150	03/02/2009	It was moved, seconded and carried that the Town of Ladysmith Council Procedure Bylaw 2008, No. 1666 be adopted.

INTRODUCTION/BACKGROUND:

The Province has amended the *Community Charter* to include wording that permits fully electronic regular council and committee meetings, which means that municipalities would need to amend their procedure bylaws to include wording around how the meetings will be held and how the public will have access to those meetings. Since March 2020, the Town has held electronic Council and committee meetings under the authority of Ministerial Order M192. This order expires at midnight on September 28, 2021. After that time, councils may consider giving readings to procedure bylaw amendments. The Town's Procedure Bylaw (No. 1666) also applies to all committees of Council.

Electronic Meetings

On June 1, 2021, Bill 10 *Municipal Affairs Statutes Amendments Act* was passed. This bill includes changes to the *Community Charter* that provide permanent authority for municipalities to choose, by bylaw, whether to conduct regular and committee meetings electronically. This is in addition to special meetings already authorized under the Charter. Bylaw No. 1666 presently includes wording allowing Council members to participate electronically for special meetings or if they are unable to attend a Council or committee meeting in person. The latter has been via telephone. It is important to note that at present the Town does not have the audio/visual equipment required to hold a hybrid meeting (some participating in person, some participating electronically) however all upgrades to our existing equipment will ensure we are able to add on the required technology.

Proposed wording related to electronic meetings is included in Attachment A of this report. It is the decision of an individual municipality as to whether they wish to include fully electronic regular council meetings in their bylaws. If Council wishes to proceed with this amendment, Staff will ensure the Town's wording is consistent with other local governments and, if needed, will consult with the Province to ensure our wording accurately reflects the requirements under the *Community Charter*. Staff are recommending that the Town include such wording so that the option is available should the need arise.

Section	Amendment	Other information
14.	<p>As per section 128 of the <i>Community Charter</i>, new wording regarding electronic Council and Committee meetings must:</p> <ul style="list-style-type: none"> • Establish procedures for giving advance notice of regular meetings; • Provide notice of the way the meeting will be conducted and the place where the public 	<ul style="list-style-type: none"> • New wording would apply to regular and committee meetings, subject to the appropriate electronic equipment being in place (see bullet below re: cost related to hybrid meetings).

	<p>can attend to hear, or watch and hear, the meeting;</p> <ul style="list-style-type: none"> • Provide a location for the public to attend to hear, or watch and hear the meeting; • Use technology that enables the meeting participants and the public to hear, or watch and hear, each other; and • Have a designated municipal officer at the place where the public can attend. • Attachment C provides a link to the Province's guidelines. 	<ul style="list-style-type: none"> • Staff propose creating an Electronic Meetings Policy to ensure clear procedures for the Mayor and staff. • The public must be given a place to attend to hear, or watch and hear the meeting with a municipal officer in attendance (Corporate Officer/Deputy, or Financial Officer). • Presently the Town does not have the capability to hold hybrid electronic meetings (some in person, some electronically). The cost to incorporate the required technology into our audio/visual equipment is in the area of \$10,000.
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Housekeeping and Other Proposed Amendments

Staff have taken this opportunity to include other proposed amendments which are described below, along with the rationale. Council may choose to direct staff to prepare an amendment bylaw with all, some or none of the recommended changes.

Section	Proposed Amendment	Rationale
1.1	<ul style="list-style-type: none"> • Change the Inaugural Meeting day to Tuesday. 	<ul style="list-style-type: none"> • Housekeeping to reflect current process.
2.1	<ul style="list-style-type: none"> • No meeting the first week of January and one meeting in August. 	<ul style="list-style-type: none"> • Staff have considered the challenges associated with meeting the first week of January and the consistency with other local governments in providing a break during August.
2.1	<ul style="list-style-type: none"> • Change Regular Council start time from 7:00pm to 6:00pm. 	<ul style="list-style-type: none"> • Recently Council has occasionally held meetings beginning at 6:00pm. • Staff did not receive any comments, positive or negative, from the public. • Public participation at those meetings was good, some of which included Public Hearings.
2.1	<ul style="list-style-type: none"> • Change the meeting location to the Ladysmith Seniors Centre at 630 2nd Avenue. 	<ul style="list-style-type: none"> • Council and the Seniors Centre Society have agreed that Council will use this space for its regular meetings due to the space limitations in the City Hall Council Chamber.
3.1	<ul style="list-style-type: none"> • Clarify the process related to the Annual Council Meeting Schedule and public notice. 	<ul style="list-style-type: none"> • Housekeeping to reflect current process.

5.2	<ul style="list-style-type: none"> Clarify the process related to the Annual Committee of the Whole Meeting Schedule and public notice. 	<ul style="list-style-type: none"> Housekeeping to reflect current process.
7.3	<ul style="list-style-type: none"> Remove list of reasons to go into closed session and reference only section 90 of the <i>Community Charter</i>. 	<ul style="list-style-type: none"> The reasons are clearly stated in the Charter and are not required to be listed in the bylaw.
8.3	<ul style="list-style-type: none"> Remove reference to Council policy and replace with section 5.0. 	<ul style="list-style-type: none"> Housekeeping.
13.1.1, .2, & .3	<ul style="list-style-type: none"> Correct name of Annual Municipal report and grammar. 	<ul style="list-style-type: none"> Housekeeping.
21	<ul style="list-style-type: none"> Remove entire section regarding Public Hearing procedures. 	<ul style="list-style-type: none"> There is no requirement to include Public Hearing procedures in a Procedure Bylaw. It limits the flexibility of options for holding a Public Hearing such as the day, the time and by electronic means. Bill 10 permits Public Hearings to be held by electronic means. Staff have prepared a draft Public Hearing Policy (Attachment B) which includes wording removed from the bylaw.

ALTERNATIVES:

Council can choose to:

1. Reject some or all proposed Procedure Bylaw amendments.
2. Request that staff investigate other amendments to the Procedure Bylaw as specified by Council.

FINANCIAL IMPLICATIONS:

The cost of the statutory notices is contained within Corporate Services' annual budget. Upgrades to audio/visual equipment (approximately \$10,000) is required to permit hybrid electronic Council meetings where the Council can attend to hear or watch and hear the meeting.

LEGAL IMPLICATIONS:

Section 124 of the *Community Charter* requires that Council must publish notice describing proposed changes to its Procedure Bylaw.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Required notice is twice in the local newspaper. In order that the public is aware of the proposed amendments staff will also post on the City Hall notice board, website and will promote on social media.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Changes to Bylaw No. 1666 will also apply to Council committees.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|--|--|
| <input type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings | <input type="checkbox"/> Multi-Use Landscapes |
| <input type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input type="checkbox"/> Healthy Community | <input type="checkbox"/> Local, Diverse Economy |
| <input checked="" type="checkbox"/> Not Applicable | |

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|---|---|
| <input type="checkbox"/> Infrastructure | <input type="checkbox"/> Economy |
| <input checked="" type="checkbox"/> Community | <input type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Waterfront | |

I approve the report and recommendation(s).

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

- A. Council Procedure Bylaw No. 1666 (consolidated) with track changes
- B. Draft Public Hearing Policy
- C. BC Guidance for Adapting to the New Electronic Meetings Framework:
https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/governance-powers/electronic_meetings_guidance.pdf

ATTACHMENT B

TOPIC:	Public Hearing Process Policy DRAFT
POLICY No:	
APPROVED BY:	RESOLUTION No:
DATE:	
AMENDED:	

PURPOSE:

Public Hearings may be required by the *Local Government Act* to provide an opportunity for the public to submit verbal or written comments on official community plan, zoning and, from time to time, other bylaws. In order for this process to be conducted in a fair and equitable manner, Council has established the following process for holding public hearings and for receiving oral and written presentations.

POLICY:

Any person who believes their interest in property will be affected by a proposed bylaw has an opportunity to address Council at a Public Hearing in a timely and orderly fashion. Individuals may send their submissions prior to 12:00pm the day of the hearing for inclusion as part of the record in one of the following ways:

Email: info@ladysmith.ca

Mail or drop off: Town of Ladysmith, 410 Esplanade Avenue, PO Box 220,
Ladysmith, BC V9G 1A2

Other forms of submissions will not form part of the Public Hearing record.

PROCESS:

Prior to each Public Hearing the Corporate Officer shall prepare an agenda to outline the procedure to be followed and to include the proposed bylaw and any written submissions as laid out in the following table.

Meetings may be In-Person or Electronic

The *Local Government Act* permits local governments to hold Public Hearings either in-person or by electronic means. The Public Hearing Notice must clearly state the date, time and location. If the Hearing is held by electronic means, the public must be advised how it can virtually attend and participate in the Hearing.

Written Submissions:

Staff will manage written correspondence received (by mail, email, or hand delivery) in relation to a proposed amendment being considered at a Public Hearing as follows:

Time received	Process
Correspondence received prior to the bylaw being considered for 1 st and 2 nd readings, or prior to receiving direction to proceed to Public Hearing	<ul style="list-style-type: none"> • If addressed to staff, retained in file. • If addressed to Council, circulated to Council as general correspondence. • Does <u>not</u> form part of the Public Hearing record.
Correspondence received (as outlined in the policy) after 1 st and 2 nd readings but prior to the Public Hearing. Deadline for receipt of correspondence set at 12:00pm on the day of the Public Hearing.	<ul style="list-style-type: none"> • Compiled and made ready for public review at the Public Hearing. • Included in the Public Hearing agenda if received prior to the agenda printing deadline. Included as a late agenda memo if received after the agenda printing deadline and prior to 12:00pm on the day of the Public Hearing. • Forms part of the official record which is available to the public and placed on the Town's website.
Correspondence received after 12:00pm on the day of the Public Hearing	<ul style="list-style-type: none"> • For in-person Public Hearings, submissions must be provided in person at the Hearing to be considered part of the formal record. • For electronic Public Hearings, written submissions must be sent via email during the Hearing to be considered part of the formal record.
Correspondence received after the close of the Public Hearing	<ul style="list-style-type: none"> • Correspondence is retained on file. • It is <u>not</u> circulated to Council. • It does <u>not</u> form part of the Public Hearing record.

Public Hearing:

- The Chair will call the Public Hearing to order and describe the purpose and procedures of the Public Hearing.
- The Chair will inform the public that each speaker will be permitted to address the hearing for a maximum of ten (10) minutes. All comments must be relevant to the issues at hand.
- The Chair will inform the public that the Hearing may be recorded and livestreamed and that names, addresses and any comments made, in addition to written submissions, will become part of the Public Hearing record.
- Staff will introduce the proposed amendment.
- The applicant will be given the first opportunity to address Council.
- The floor will then be open to anyone who wishes to speak to Council regarding the proposed amendment.
- Those who address Council will be asked to provide their name and address and to indicate whether they support or oppose the proposed amendment.
- No electronic presentations will be permitted from either the applicant or the public.
- Comments must be relevant to the issue at hand, succinct, and respectful of Council,

Town staff, and other members of the public in attendance. When the permitted time for speaking expires, the person speaking must yield to the next speaker.

- Those in attendance at the Public Hearing will refrain from applause or other expressions of emotion whether in favour of, or opposition to, any particular application or argument. Inappropriate language, outbursts or criticisms aimed at individuals or groups will not be permitted.
- Once everyone has had a chance to speak for the first time, the Chair will ask the Corporate Officer to report on written submissions which have been received as part of the record.
- Those in attendance at the Hearing who wish to are permitted to present additional or new information.
- A speaker will not debate a point of view with another speaker but will seek clarification through the Chair.
- The Chair will call 3 times to ask if anyone else would like to speak. Should no one express an interest in speaking the Chair will state that the Public Hearing is closed.

After the Public Hearing is Closed:

Once all submissions have been heard and the Public Hearing is closed, Council may consider the amendment at the Council meeting immediately following the Public Hearing (if applicable), at the next, or a specified meeting of Council, with or without request for further information from staff. No other submissions (mail, email, phone calls or in-person) from the public or the applicant regarding an amendment may be received by Council following the close of the Public Hearing.

ATTACHMENT A

TOWN OF LADYSMITH

BYLAW NO. 1666

(CONSOLIDATED VERSION FOR CONVENIENCE)

A BYLAW TO ESTABLISH PROCEDURES FOR THE CONDUCT OF COUNCIL AND COUNCIL COMMITTEE MEETINGS FOR THE TOWN OF LADYSMITH

WHEREAS Section 124 of the *Community Charter* prescribes that Council must, by bylaw, establish the general procedures to be followed by council and council committees in conducting their business;

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

1. INAUGURAL MEETING OF COUNCIL

BL 1971

- 1.1 The Inaugural Meeting of Council shall be held on the first ~~Monday~~ Tuesday of the month following a general local election. At this inaugural meeting, the Mayor shall appoint a Councillor to serve as the Deputy Mayor in the absence, illness or disability of the Mayor. The Mayor may from time to time change the appointment of the Deputy Mayor.

2. REGULAR MEETINGS OF COUNCIL

BL 2023

- 2.1 ~~Subject to Subsection 2.2 to 2.4 inclusive of this bylaw, regular meetings of Council shall be held on the first and third Monday of each month at 7:00 p.m. in the Council Chambers at City Hall, except where Council determines that a meeting will be held elsewhere.~~

Subject to Subsection 2.2 to 2.4 inclusive of this bylaw, regular meetings of Council shall:

- (a) be held on the first and third Tuesday of each month, with the exception of January in which no meeting will be held the first Tuesday, and in August in which only one meeting will be held;
- (b) be held in accordance with the schedule adopted by Council on or before December 31 of the preceding year;
- (b) begin at 6:00 p.m. unless a closed meeting pursuant to section 90 of the *Community Charter* is required;
- (c) be held in the Council Chambers at the Ladysmith Seniors Centre at 630 2nd Avenue, except where Council determines that a meeting will be held elsewhere;
- (d) be adjourned at 11:00 p.m. unless a resolution to proceed beyond that time is passed by Council.

~~be held on the first and third **Tuesday** of each month at 7:00 p.m. in the Council Chambers at~~

~~City Hall, except where Council determines that a meeting will be held elsewhere.~~

BL 1845

- 2.2 When a regular Council Meeting falls on a statutory holiday, as defined in the *Interpretation Act*, no meeting shall be held that week unless a Special Council meeting is scheduled.
- 2.3 A regular meeting may be cancelled by a resolution of Council, provided that two consecutive meetings are not cancelled.
- 2.4 The Mayor may, after providing at least two clear day's written notice, through the office of the Corporate Officer postpone any regular meeting of Council to a day, time and place named in such notice.

3. NOTICE OF REGULAR COUNCIL MEETINGS

- 3.1 The Corporate Officer will:
 - (a) Annually on or before December 31, prepare a schedule of dates, times and locations of Regular Council meetings for the following year to be approved by Council;
 - (b) Have the schedule available to the public by posting it on the notice board. The "notice board" is the notice board at City Hall.
 - (c) Have notice given annually when and where the schedule of Regular Council meetings will be available in accordance with section 94 of the Community Charter.

~~At least 72 hours before a regular meeting of Council, the Corporate Officer must give public notice of the time, place and date of the meeting by way of a notice posted on the notice board. The "notice board" is the notice board at City Hall.~~

- 3.2 At least 24 hours before a regular meeting of Council, the Corporate Officer must give ~~further~~ public notice of the meeting by:
 - (a) posting a copy of the agenda on the notice board; and
 - (b) leaving copies of the agenda at the reception counter at City Hall for the purpose of making them available to members of the public.
- 3.3 At least 24 hours before a regular meeting of Council, the Corporate Officer must deliver a copy of the agenda to each member of Council at the place to which the Council member has directed notices to be sent.

4.0 NOTICE OF SPECIAL COUNCIL MEETINGS

- 4.1 Except where notice of a special meeting is waived under Section 127(4) of the *Community Charter*, at least 24 hours before a special meeting of Council, the Corporate Officer must:
 - (a) give advance public notice of the time, place and date of the meeting by way of notice posted on the notice board at City Hall; and
 - (b) give notice of the special meeting in accordance with Section 127 of the *Community Charter*.

5.0 NOTICE OF COMMITTEE MEETINGS

5.1 In this section:

“Primary Committee” means the following committee of council:

- (a) ~~Municipal Services~~ Committee of the Whole

“Secondary Committee” means a committee of council which is not a Primary Committee.

5.2 The Corporate Officer will:

- (a) Annually on or before December 31, prepare a schedule of dates, times and locations of Primary Committee meetings for the following year to be approved by Council;
- (b) Have the schedule available to the public by posting it on the notice board. The “notice board” is the notice board at City Hall.
- (c) Have notice given annually when and where the schedule of Primary Committee meetings will be available in accordance with section 94 of the Community Charter.

~~At least 72 hours before a regular meeting of a Primary Committee, the Corporate Officer must give public notice of the time, place and date of the meeting by way of a notice posted on the notice board.~~

5.3 At least 24 hours before a regular meeting of a Primary Committee, the Corporate Officer must give further public notice of the meeting by:

- (a) posting a copy of the agenda on the notice board; and
- (b) leaving copies of the agenda at the reception counter at City Hall for the purpose of making them available to members of the public.

5.4 At least 24 hours before a regular meeting of a Primary Committee, the Corporate Officer must deliver a copy of the agenda to each member of the committee at the place to which the committee member has directed notices to be sent.

5.5 At least 24 hours before:

- (a) a special meeting of a Primary Committee, or
- (b) a meeting of a Secondary Committee

the Corporate Officer must give advance public notice of the time, place and date of the meeting by way of a notice posted on the notice board.

6.0 ATTENDANCE OF PUBLIC AT MEETINGS

6.1 Subject to Sections 90(3) and 133(1) of the *Community Charter*, all Council meetings must be open to the public.

6.2 Where Council wishes to close a meeting to the public, it may do so by adopting a

resolution in accordance with Section 90 of the *Community Charter*.

6.3 This section applies to meetings of bodies referred to in Section 93 of the *Community Charter*, including, without limitation:

- (a) Select or standing committees of council
- (b) Board of Variance
- (c) Court of Revision
- (d) Advisory Commissions
- (e) Other Commissions

7.0 SPECIAL AND “IN CAMERA” MEETINGS OF COUNCIL

7.1 Special Meetings of Council when required shall be open to the public, except where Council has determined by resolution that it is in the public interest to exclude the public from such meetings.

7.2 Only those matters shown on the agenda of a Special Meeting shall be dealt with at that Special Meeting of Council, except where a resolution to place an additional item on the agenda has been passed unanimously at that meeting, as the first item of business.

7.3 Special Meetings of Council held with the public excluded shall be called “Closed Session” Meetings, and only ~~the following~~ matters pursuant to section 90 of the *Community Charter* may be considered at such meetings:

~~7.3.1 personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;~~

~~7.3.2 personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;~~

~~7.3.3 labour relations or other employee relations;~~

~~7.3.4 the security of the property of the municipality;~~

~~7.3.5 the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;~~

~~7.3.6 law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;~~

~~7.3.7 litigation or potential litigation affecting the municipality;~~

~~7.3.8 an administrative tribunal hearing or potential administrative tribunal hearing affecting the municipality, other than a hearing to be conducted by the council or a delegate of council;~~

- ~~7.3.9 the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;~~
- ~~7.3.10 information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act;~~
- ~~7.3.11 negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;~~
- ~~7.3.12 discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 (annual municipal report);~~
- ~~7.3.13 a matter that, under another enactment, is such that the public may be excluded from the meeting;~~
- ~~7.3.14 the consideration of whether a council meeting should be closed under provisions of the Community Charter;~~
- ~~7.3.15 the consideration of whether the authority under section 91 of the Community Charter (other persons attending closed meetings) should be exercised in relation to a council meeting~~
- ~~7.4 A part of a council meeting must be closed to the public if the subject matter being considered related to one or more of the following:~~
 - ~~7.4.1 a request under the Freedom of Information and Protection of Privacy Act, if the council is designated as head of the local public body for the purposes of that Act in relation to the matter;~~
 - ~~7.4.2 the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between the provincial government or the federal government or both and a third party;~~
 - ~~7.4.3 a matter that is being investigated under the Ombudsman Act of which the municipality has been notified under section 14 of the Community Charter (ombudsman to notify authority) of that Act;~~
 - ~~7.4.4 a matter that, under another enactment, is such that the public must be excluded from the meeting.~~

8. COUNCIL MEETING AGENDA

- 8.1 Prior to each regular, Special or Inaugural Meeting, the Corporate Officer shall prepare an agenda of all business to be brought before the Council at such meeting, and Council shall proceed with the business in the order set out, unless that agenda is altered by resolution.
- 8.2 All documents intended to be submitted for the agenda of a regular meeting of

Council must be delivered to the Corporate Officer not later than 12:00 noon on the Tuesday preceding the day of the regular meeting.

8.3 The agenda for regular Council Meetings, for Special Council Meetings for the purpose of holding Public Hearings shall be made available to the public in accordance with ~~Council policy~~Section 5.0 of this bylaw.

8.4 Council may by resolution, at a regular Council Meeting, as the first item of business after the adoption of the minutes of the previous meeting:

8.4.1 add further items to the agenda; and

8.4.2 delete any items from the agenda.

8.5 Subject to Subsection 20.3, any items added to the agenda in accordance with Subsection 8.4.1 shall be delegable, and any item deleted from the agenda in accordance with Subsection 8.4.2 shall cease to be delegable.

9. **OPENING OF PROCEEDINGS**

9.1 As soon after the time for a meeting as there is a quorum present, the Mayor shall, if present, take the Chair and call the meeting to order.

9.2 Where the Mayor is absent, the Acting Mayor shall take the Chair and call the meeting to order.

9.3 Where both the Mayor and Acting Mayor are not in attendance within fifteen minutes after the time appointed for a meeting, the Corporate Officer shall call the members to order, and if a quorum is present, the members shall choose a member to Chair the meeting until the arrival of the Mayor or Acting Mayor.

9.4 If a quorum is not present within fifteen minutes after the time fixed for a meeting, the Corporate Officer shall record the names of the members present, and the meeting shall be deemed to have been cancelled.

10. **MINUTES OF COUNCIL AND STANDING COMMITTEES**

10.1 The minutes of the proceedings of Council Meetings shall be kept as statutorily required.

10.2 The minutes of the proceedings of Standing Committees shall be kept as statutorily required.

10.3 Not less than 48 hours before the holding of each regular meeting the Corporate Officer shall send to each member of Council, a copy of the minutes of:

10.3.1 the last regular Council meeting;

10.3.2 any Special Council meetings, including Public Hearings;

10.3.3 Standing Committee meetings of Council;

10.3.4 Advisory commission and other commission meetings

for their adoption or receipt at the next regular meeting, where such meetings or hearings have been held more than five days prior to that regular Council Meeting.

11. RULES OF CONDUCT IN COUNCIL CHAMBERS

11.1 Members shall address the presiding member by that person's title of Mayor, Acting Mayor, Chair or Councillor.

11.2 A member shall not speak disrespectfully of Her Majesty The Queen or any other member of the Royal Family, the Governor General, the Lieutenant Governor, persons administering the Government of Canada or British Columbia, Council, or the members of Council.

11.3 A member shall not use words in a Council Meeting which, in the opinion of the Chair, are offensive.

11.4 When a member is speaking, another member shall not disturb or interrupt the speaker, except to raise a point of order.

11.5 When the Chair is putting a question, no member shall absent himself without permission from the Chair.

11.6 Every member shall abide by the decision of the Chair on points of order, practice, and the interpretation of Council procedures, and every member has the right of statutory appeal.

11.7 Where any member is disrespectful to any of the persons mentioned in Section 11.2 of this bylaw, or if he resists the rules of conduct or debate, the Chair may ask for that member to withdraw their remarks and may order the member to leave their seat. If the member refuses to leave, the Chair may order the removal of the member for the remainder of that meeting, and shall then declare a ten minute recess. If the offending member apologizes, Council may, by resolution, permit the member to resume their seat.

12. RULES OF DEBATE IN COUNCIL CHAMBERS

12.1 A member shall not speak other than on the motion under debate.

12.2 The Chair, or any member through the Chair, may call a Point of Order regarding the subject matter which the member is addressing.

12.3 When a Point of Order is raised, the Chair shall immediately suspend the debate, and the member in question shall refrain from speaking until the Point of Order is determined.

- 12.4 A member may request the motion under discussion to be read at any time during debate, but may not interrupt a member who is speaking.
- 12.5 Questions of information or clarification may be addressed to a speaker through the Chair, and the member to whom such questions are addressed shall be permitted the opportunity to reply.
- 12.6 A member shall not speak to any motion, or provide clarification of any matter, for a period longer than five minutes, without permission from Council. The mover of a motion may, however, speak again to close debate but shall be limited to a further five minutes.
- 12.7 After a question has been called by the Chair, a member shall not speak to the motion and no member shall make a further motion until after the result of the vote has been declared. The decision of the Chair as to whether the question has been called shall be final.

13. ANNUAL MEETING

- 13.1 The Corporate Officer must give notice of the council meeting or other public meeting in respect of which Council has resolved to consider:
- 13.1.1 the annual municipal report prepared under Section 98 of the *Community Charter*, and
 - 13.1.2 submissions and questions from the public
 - by and giving public notice by
 - 13.1.3 posting notice of the date, time and placed place of the annual meeting on the notice board at City Hall, and
 - 13.1.4 publishing notice of the date, time and place of the annual meeting in accordance with Section 94 of the *Community Charter*.

14. ELECTRONIC MEETINGS

- 14.1 Subject to section 128 of the *Community Charter*

- ~~14.1.1. a special meeting may be conducted by means of electronic or other communication facilities;~~
- ~~14.1.2. a member of Council or a council committee who is unable to attend a council meeting or a council committee meeting, as applicable, may participate in the meeting by means of electronic or other communication facilities.~~
- 14.1.1 A special Council meeting, a regular Council meeting or a select or standing committee meeting may be conducted by electronic means.
- 14.1.2 A Council member who is unable to attend a special Council meeting, a

regular Council meeting or a select or standing committee meeting, which has been convened in accordance with this bylaw, may participate by electronic means.

14.1.3 Council members who participate in a regular Council meeting, special Council meeting or select or standing committee meeting conducted by electronic means must be able to hear, or to watch and hear, each other.

14.1.4 A special Council meeting, select or standing committee meeting or a regular Council meeting which is conducted by electronic means may be open to the public or closed to the public.

14.1.5 Notice of a special Council meeting, which is not closed to the public and is to be conducted wholly or in part by electronic means, may be given using a means of communication that the Town considers most likely to reach the public, and should include a brief description of:

- (a) the nature of the business to be transacted;
- (b) the way the meeting is to be conducted by electronic or other communication facilities; and
- (c) the place the public may attend to hear, or watch and hear, the proceedings.

14.1.6 Notice of a regular Council meeting or select or standing committee meeting to be conducted by electronic means must be given in the same manner as an in person regular Council meeting or an in person select or standing committee meeting, and must also include notice of:

- (a) the way the meeting is to be conducted; and
- (b) the place the public may attend to hear, or watch and hear, the proceedings.

14.1.7 Before holding a closed special Council meeting by electronic means, Council must state by resolution, passed in a public meeting:

- (a) the fact that the meeting or part of the meeting is to be closed; and
- (b) the basis under the applicable subsection of section 90 of the *Community Charter* for closing the meeting or part of the meeting.

14.1.8 The public meeting referred to in section 14.1.7 may be conducted by electronic means.

14.1.9 If notice is given under this bylaw that Council may attend a meeting by electronic means, then members of the public who are eligible to speak at the meeting may participate by electronic means.

14.1.10 The place the public may attend to hear and participate in the proceedings in accordance with this section 14.1.5 or 14.1.6 must provide:

- (a) facilities which enable the public to hear, or watch and hear, the meeting and participating Council members; and
- (b) a staff person in attendance who is a designated city representative.

14.1.11 The Corporate Officer must confirm quorum at an electronic meeting, and each member must enable their video in order to allow for this.

15. MOTIONS

- 15.1 When a motion has been moved and seconded, the Chair shall permit debate on that motion, and that motion shall be recorded in the minutes.
- 15.2 The Chair, after determining that all members wishing to speak on the matter have done so, may close debate by calling the question on the motion.
- 15.3 After a motion has been stated or read, it is deemed to be in the possession of the Council and it may be withdrawn by the mover and seconder of the motion, only with the unanimous consent of the Council members present.
- 15.4 When a motion is under consideration, and prior to the calling of the question, only the following motions shall be entertained, and in the following precedence:
 - 15.4.1 a motion to refer;
 - 15.4.2 a motion to amend;
 - 15.4.3 a motion to table;
 - 15.4.4 a motion to call the question.
- 15.5 Where the Chair is of the opinion that a motion is contrary to the rules and privileges of Council, the Chair shall advise the members accordingly without calling the question, and shall cite without argument or comment, the rule or authority applicable to the case. A member of Council who is dissatisfied with the decision of the Chair shall have the statutory right of appeal.
- 15.6 When an amendment to a main motion has been moved and seconded, the Chair shall on the request of a member, state the original motion, and the amendment, and shall permit debate only on the amendment.
- 15.7 A member, other than the mover of a main motion, may propose an amendment to that motion, but that amendment must be disposed of before any subsequent amendments are proposed.
- 15.8 If the amending motion is defeated and no further amendments are proposed, the Chair shall again propose the main motion, and debate may ensue on the main motion. If the amending motion is passed and no further amendments are proposed, the Chair shall then propose the main motion as amended.

- 15.9 A member may propose a sub-amendment to an amendment, and the provisions of Subsections 15.7, 15.8 and 15.9 regarding entitlement to move and speak to amendments, and with regard to the sequence in which the Chair shall deal with amendments shall also apply, so far as applicable, to sub-amendments.
- 15.10 The Chair shall put amendments to Council in the following order:
- 15.10.1 the sub-amendment;
 - 15.10.2 the amendment to the main motion;
 - 15.10.3 the main motion.
- 15.11 The amendments permitted under Subsection 15.7 and the sub-amendments permitted under Subsection 15.10 may be proposed by the deletion, addition, or substitution of words or figures, provided such words or figures do not, in the opinion of the Chair, affect the main motion or the amendment, whichever is applicable, to the extent that it is either:
- 15.11.1 negated; or
 - 15.11.2 changed in such a way that either an alternative action is proposed or all reference to the original action is eliminated.

16. RESCINDING OF A RESOLUTION

- 16.1 A resolution adopted at a regular or special Council meeting may be rescinded at the next regular Council meeting provided:
- 16.1.1 Council has given due consideration to the actions, if any, taken by an officer, employee or agent of the Town on the basis of such resolution; and
 - 16.1.2 A Notice of Motion regarding the intent to rescind has been served by a member who voted with the prevailing side; and either at the meeting at which the resolution was adopted, or in writing to the Corporate Officer prior to the next regular Council meeting in accordance with Subsection 8.2.
- 16.2 The server of a Notice of Motion in accordance with Subsection 16.1 shall, upon the motion being seconded, be requested by the Chair to state the reasons for the Notice. If the member who served the Notice is not present, the Notice of Motion shall be deemed to have been withdrawn.
- 16.3 A motion resulting from a Notice of Motion served under Subsection 16.1 to rescind a resolution of Council:
- 16.3.1 is debatable;
 - 16.3.2 may not be amended, tabled or referred;

- 16.3.3 is not delegable; and
- 16.3.4 may only be withdrawn by the server on a Point of Order, prior to being seconded or, upon being seconded, only with the unanimous consent of all the members present.

17. RECONSIDERATION OF A DEFEATED MOTION

- 17.1 A motion which has been defeated at a regular or special Council meeting may be reconsidered by the Council provided that the request to reconsider is:
 - 17.1.1 brought forward by a member who voted with the prevailing side; and
 - 17.1.2 presented either at the meeting at which the resolution was defeated, or the next regular Council meeting provided the member presents the request in writing to the Corporate Officer in accordance with Subsection 8.2.
- 17.2 The Server of a Notice of Motion in accordance with Subsection 17.1 shall, upon the motion being seconded, be requested by the Chair to state the reasons for the Notice. If the member who served the Notice is not present, the Notice of Motion shall be deemed to have been withdrawn.
- 17.3 A motion to reconsider a defeated motion resulting from a Notice of Motion served under Subsection 11.1:
 - 17.3.1 may not be amended, tabled or referred;
 - 17.3.2 is not delegable; and
 - 17.3.3 may only be withdrawn by the server on a Point of Order, prior to being seconded; or upon being seconded, only with the unanimous consent of all the members present.
- 17.4 A motion to reconsider a defeated motion, resulting from a Notice of Motion, is debatable as to the merits of reconsideration and, if passed, Council shall immediately reconsider the original motion. The original motion:
 - 17.4.1 is debateable;
 - 17.4.2 may not be amended, tabled, referred or withdrawn; and
 - 17.4.3 is not delegable.
- 17.5 Council shall not reconsider any defeated motion under this Subsection more than once.
- 17.6 The provisions of this Section shall also apply to Special "Closed Session" Meetings and a Notice of Motion in connection with the reconsideration of a defeated motion at a Special "Closed Session" Meeting, unless Council authorizes that such actions

be considered at a regular meeting.

18. VOTING ON A MOTION

- 18.1 Whenever a vote of Council is taken for any purpose, each member of the Council present shall signify their vote upon the motion by raising their hand, whereupon the Chair shall declare the result. The Corporate Officer shall record the results of the vote in the minutes.
- 18.2 When a motion under consideration contains several propositions, the vote upon each proposition shall be taken separately, if so requested by any member of Council. A further mover and seconder shall not be required for each proposition, and the question shall be called on each proposition based on the original mover and seconder.
- 18.3 After council has taken a vote on any motion, Council shall not vote on that motion again at that same meeting.
- 18.4 When a vote is taken, all negative votes shall be recorded.

19. PROCEDURES FOR DELEGATIONS TO COUNCIL

- 19.1 A person or organization wishing to address Council as a delegation shall be heard by Council provided notification of this intent, including a summary of the matter which is the subject of the delegation and of the specific action which is being requested from Council by the delegation, is submitted to the Corporate Officer in accordance with the requirements of Subsection 8.2 of this Bylaw, for circulation with the Council agenda.
- 19.2 Notwithstanding Subsection 19.1 of this Bylaw, a person or organization wishing to address Council as a delegation, and who has not complied with the requirements of Subsection 8.2 of this Bylaw, may do so with a two-thirds majority consent of the Council.
- 19.3 Notwithstanding Subsection 19.1 of this Bylaw, delegations shall not be heard at regular or Special Council Meetings on matters relating to:
 - 19.3.1 Official Community Plan amendment bylaws or zoning amendment bylaws which have received first reading and which have not yet been adopted or defeated;
 - 19.3.2 Development Permits or Development Variance Permits except where Council is considering the issuance of such a permit at the same meeting.
- 19.4 The provisions of Subsections 19.1 to 19.3 inclusive do not apply to a Special Council Meeting for the purpose of holding Public Hearings on land use matters.
- 19.5 A delegation intending to use audio or audio-visual equipment or both, for the purposes of making a submission to Council shall advise the Corporate Officer by

12:00 noon on the Tuesday prior to the Council meeting, of the intent to use such equipment, on the understanding that the Town will assist with, but not be responsible for, the provision of the necessary equipment.

20. **PROCEDURES REGARDING BYLAWS**

- 20.1 Every proposed bylaw, except a bylaw requiring a Public Hearing, may be introduced and given first, second and third readings in one motion.
- 20.2 The introduction and readings of a bylaw shall be undertaken separately if so requested by any member of Council.
- 20.3 Any member may move that Council, after any reading of a bylaw, consider the bylaw clause by clause.
- 20.4 Every proposed bylaw shall come into force and effect on the date of adoption unless, in accordance with the provisions of the *Community Charter*, a subsequent date is specified in the bylaw.
- 20.5 Every proposed bylaw on which a Public Hearing is required shall, upon being given first and second reading, be submitted to a future meeting for the purpose of holding Public Hearings for which all statutory notification and advertising requirements can be satisfied unless Council, by resolution, directs otherwise.

BL 1971

~~21. **PROCEDURES FOR PUBLIC HEARINGS ON LAND USE MATTERS**~~

- ~~21.1 All Public Hearings shall be held at meetings of Council, and except as otherwise stated, the rules of Council shall be observed, so far as may be applicable, during these Public Hearings.~~
- ~~21.2 Prior to each Council meeting for the purpose of holding Public Hearings, the Corporate Officer shall prepare an agenda of all business to be dealt with at such meeting, and Council shall proceed with the business set out in that agenda, unless that agenda is altered by resolution.~~
- ~~21.3 Each speaker will be permitted to address the hearing for a maximum of ten (10) minutes. All comments must be relevant to the issues at hand.~~
- ~~21.4 The bylaws will be considered individually and in numerical order, unless otherwise indicated, and the order of proceedings, after completion of the opening statement, will be as follows:~~
- ~~21.5.1 a brief statement by the Corporate Officer regarding the bylaw under consideration;~~
- ~~21.5.2 a brief presentation will be requested from the applicant or agent for each land use application;~~
- ~~21.5.3 the Corporate Officer will report on written submissions which have been~~

~~received as part of the record;~~

~~21.5.4 oral submissions from the public will then be heard;~~

~~21.5.5 supplementary oral submissions from the public and the developer (if any) will then be heard. A limit of ten minutes applies to supplementary submissions;~~

BL 1971 ~~21.4.6 the bylaw readings will be considered at the next regular Council meeting.~~

22. COMMITTEE OF THE WHOLE

BL 2023

- 22.1 Council will meet as Committee of the Whole on the second Tuesday of every second month to give preliminary consideration to proposed policies, services and/or other matters and make recommendations to Council.
- 22.2 Committee of the Whole meetings will take place at City Hall unless, by resolution, Council has chosen another location specified in the resolution.

23. STANDING COMMITTEES OF COUNCIL AND SELECT COMMITTEES

- 23.1 At the Inaugural Meeting of Council, or at such other times as considered appropriate, the Mayor may establish Standing Committees of Council, and shall appoint members thereto.
- 23.2 The Mayor shall be an Ex-Officio member of all Committees established in accordance with Subsection 22.1 of this bylaw, and shall be entitled to vote at all meetings thereof. In the absence of the Mayor, the Acting Mayor shall have the same Ex-Officio voting privileges at Standing and Select Committee Meetings, except where the Acting Mayor is already a voting member of that Committee.
- 23.3 The mandate of each of the Standing Committees of Council shall be as established by Council policy, but the general duties of Standing and Select Committees shall be to:
 - 23.3.1 report to Council from time to time, as often as the interests of the Town require, on all matters connected with the duties imposed upon them, and to recommend such action by Council as may be deemed necessary and expedient; and
 - 23.3.2 consider and report upon all matters referred to them by Council.
- 23.4 Any business referred to a Standing Committee shall not be determined by Council until the Committee has reported on it, unless the Committee fails to report within the time set in the referral motion or, if no time is set, within a time considered by Council to be reasonable.
- 23.5 Members may attend the meetings of a Standing Committee of which they are not a member and;
 - 23.5.1 may participate in discussion on items on the Committee agenda upon

being recognized by the Chair;

- 23.5.2 shall not be allowed to vote at the Committee meeting of which they are not a member.

The provisions of this Subsection do not apply to the Mayor or, in the Mayor's absence, the Acting Mayor.

24. **MISCELLANEOUS PROVISIONS**

- 24.1 All points of procedure not provided for in this bylaw shall be decided in accordance with Roberts Rules of Order.
- 24.2 If any Section, Subsection, Paragraph, Clause or Phrase of this bylaw is held to be invalid by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.
- 24.3 Any provision of this bylaw, excluding those governed by the *Local Government Act* and *Community Charter*, may be waived by a majority of the Council members present.

25. **REPEAL OF PREVIOUS BYLAWS**

- 25.1 "Procedure Bylaw 1995, No. 1159" and any amendments thereto is hereby repealed.

26. **CITATION**

- 26.1 This bylaw may be cited for all purposes as "Council Procedure Bylaw 2009, No. 1666".

STAFF REPORT TO THE COMMITTEE OF THE WHOLE

Report Prepared By: Jake Belobaba, Director of Development Services
Reviewed By: Erin Anderson, Director of Financial Services
Meeting Date: September 28, 2021
File No: 3360-17- 06
Re: **Two-Storey Coach Houses**

RECOMMENDATION:

That the Committee recommend that Council direct staff to:

1. Bring forward amendments to:
 - a. "Official Community Plan Bylaw 2003, No. 1488",
 - b. "Town of Ladysmith Zoning Bylaw 2014, No. 1860"; and
 - c. "Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905";related to coach houses as outlined in the September 28, 2021 staff report; and
2. Develop a design pre authorization program for coach houses as outlined in the September 28, 2021 staff report to the Committee of the Whole .

EXECUTIVE SUMMARY:

This report is provided in response to Council's direction on March 16, 2021 to bring forward regulations related to two-storey coach houses.

PREVIOUS COUNCIL DIRECTION:

Please see Attachment A.

INTRODUCTION/BACKGROUND:

Coach houses are small, detached, self-contained homes on a parcel with a (usually larger) single-family dwelling. Coach houses can be one or more storeys in height and often consist of second storey living space above a garage.

Coach houses are generally considered to be part of the affordable housing "mix"; supporting key housing objectives such as rental housing for singles or small families, "mortgage helpers", aging in place (e.g. "granny suite"), or supporting family members with disabilities. Since coach houses simply add small detached dwellings to existing suburban neighbourhoods, they are a relatively low impact way to increase suburban density while preserving existing neighbourhood character. Concerns about coach houses occasionally include noise, traffic, form and character, parking and privacy. Subsequently, land use regulations for coach houses are usually carefully designed to minimize these impacts.

The Town undertook such a process in 2011 (see resolution CS 2011-270) and when the current Zoning Bylaw was adopted in August 2014, it included regulations allowing coach houses in certain residential zones. Accompanying development permit guidelines for form and character, and environmental

performance were also adopted. Section 6.5 of the Zoning Bylaw also includes regulations applicable to all coach houses. Both one and two-storey coach houses are currently allowed in Ladysmith.

Coach houses are allowed in the following zones:

- Rural Residential (RU-1)
- Old Town Residential (R-2),
- Bayview Residential (R-2-A)
- Live/Work Residential (R-2-LW)
- Primary Agriculture (A-1)

From 2017 to 2019, the Town investigated expanding zones where coach houses are permitted. In September 2018, while considering a development permit for a two-storey coach house, Council referred the matter of two-storey coach houses to the incoming Council, however the project was not approved in the 2019 Financial Plan.

To date, the Town has issued 23 Development Permits and 13 Building Permits for coach houses. The majority of approved coach houses have been two-storeys. Table 1 provides a breakdown of coach house developments:

Table 1: Coach House Permits 2014 to Present

	Development Permits	Building Permits	Occupancy Permits
Two-storey Coach Houses¹	14	8	8
One-storey Coach Houses	9	5	5

The Committee of the Whole considered coach houses on March 9, 2021 and Council directed staff to bring forward bylaw amendments “related to two-storey coach houses as identified by the Committee of the Whole” on March 16, 2021. Neither the Council nor the Committee resolutions included any specific regulatory changes, with Council/Committee discussion deferring to staff to come back with policy options.

Two general themes emerged from the Committee’s discussion:

1. Previous public consultation suggests that two storey coach houses should require a variance, or neighbour notification.
2. One-storey coach houses, should be incentivized and the impact of two storey coach houses should be mitigated.

With regard to Theme #1, staff have reviewed the public engagement summary reports and presentations from the Zoning Bylaw review, which led to the introduction of coach houses in select

¹ Note the previous version of this table in the March 9, 2021 report, erroneously noted higher numbers for building and occupancy permits for two-storey coach houses because some applications were mistakenly recorded as two-storey coach houses but were actually one storey coach houses.

zones (Attachments B, C and D)². Staff also reviewed the July 9, 2018 staff report examining whether coach houses should be expanded into R-1 zones (Attachment E). Although there were instances of feedback suggesting the two storey coach houses should be prohibited, there is no documentation suggesting this view was shared by a majority (or even a significant number of) of stakeholders. There has consistently been general support for 2-storey coach houses. Survey results in 2013 showed 66% support for two-storey coach houses compared to 56% for one storey coach houses (see attachments D and E). When the Town considered expanding coach houses into the R-1 zone in 2018 the results were similar (see Attachment E):

- 82% of residents supported two storey coach houses in the R-1 zone compared to 81% who supported one storey coach houses.
- 77% of residents living in the R-1 zone supported two storey coach houses in the R-1 zone compared to 72% who supported one storey coach houses.

On balance, documented stakeholder feedback suggests that two storey coach houses are supported by the community and in some cases may even be the preferred format for many residents. For these reasons staff are not recommending requiring a variance for two storey coach houses, which could only be implemented by a zoning prohibition.

Staff also examined options for requiring additional public consultation requirements for development permits for two storey coach houses. This course of action is not recommended. Development permits are akin to building permits in that they are administrative in nature and there is no statutory authority for the Town to withhold a development permit, or impose conditions based on public feedback. Significant legal problems would arise if a consultation process for development permits began influencing the Town's administration of the development permit process. Even a notification-only program would run the risk of creating situations of unduly influencing Council in addition to creating a false expectation amongst stakeholders that their feedback will be taken into account when the application is considered.

For the above reasons, staff do not recommend prohibiting two-storey coach houses or requiring additional consultation for development permits. Instead, staff are recommending a number of regulations that will incentivize one storey coach houses (and in one case secondary suites) and lessen the impact of two storey coach houses. However, should Council wish to prohibit two storey coach houses that option is provided under Alternative 3.

With regard to Theme #2, staff have reviewed previous coach house applications, regulations from other communities and commercial coach house designs and have compiled a list of recommended policy changes to incentivize one storey coach houses and secondary suites and a program to encourage high quality coach house designs. These options are described in greater detail below.

² Most of this information would have been presented to Council in workshops on October 16, 2013 and May 26, 2014, however staff were unable to confirm exactly which deliverables were presented in the workshops.

PROPOSED BYLAW CHANGES:

Staff are recommending that the following changes to the OCP and Zoning Bylaw and Officers & Delegation of Authority Bylaw be brought forward for Council consideration.

1. OCP change: New development permit guideline: Nearby two-storey buildings

Staff recommend adding a development permit guideline that encourages two storey coach houses to be constructed only when there is a two storey building on the property or a nearby property. The purpose of this regulation would be to discourage two storey coach houses in areas where only one-storey dwellings are present, allowing for more incremental height increases in existing neighbourhoods. As a development permit guideline, this regulation can be flexibly applied on a case-by-case basis.

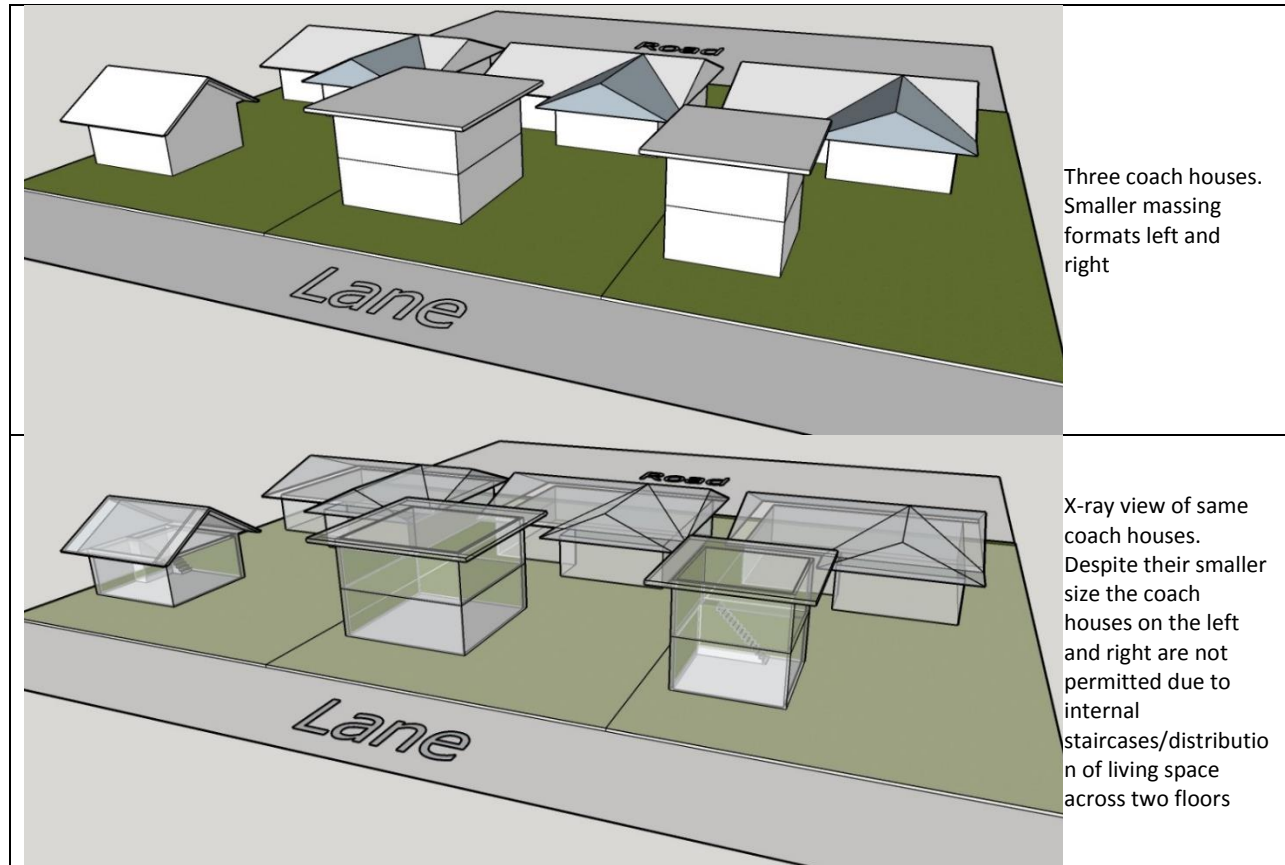
2. Zoning change: Remove second storey living area requirement

The Zoning Bylaw restricts the dwelling area for two storey coach houses, to be located in the second storey of the “accessory building”. A common misinterpretation of this clause is that the lower floor of the accessory building must be a garage. This interpretation is incorrect because an accessory building is simply a building that is accessory to a principal use (i.e. a single family dwelling). This means as long as the upstairs living space does not have direct access to the lower floor, the lower floor can be anything that would be accessory to the single-family dwelling. This includes a home office, garage, workshop, fitness room, craft room, recreation room, dance, art or music studio, or guest room. The lower floor can be insulated, contain fixtures and appliances (including full bathrooms, laundry rooms, refrigerators, freezers and sinks) and be fully finished “living space”. Practically the only component of a home that would be prohibited in the lower floor area of a coach house would be a stove. Coach houses with this configuration must be, and have been, approved by the Town. Zoning regulations cannot regulate who uses building space on private property, meaning residents of the coach house can be given access to the lower floor (again as long as there is no direct internal access provided), effectively doubling the area that is available as coach house space.

This separation of space does nothing to reduce the massing of coach houses. In fact, it likely increases massing as the rule excludes two storey coach houses with smaller footprints that distribute living space across two floors. Since second storey space must be supported by floor area below, adding an additional 60m² of lower floor area becomes a prerequisite; effectively doubling the massing of the building. This is illustrated in figure 1 below. The massing of the two storey coach houses on the left and right is approximately half of the coach house in the middle, however neither of these coach houses would currently be permitted under the zoning bylaw.

Staff are recommending deleting the second storey living area requirement to allow property owners to distribute the dwelling unit between two floors to shrink the massing of their proposed coach houses

Figure 1: Two Storey Coach House Configurations that Reduce Massing



3. Amendment to Officers and Delegation of Authority Bylaw: Staff-issuable single-storey coach houses

Currently, all coach houses require a development permit that can only be approved by Council. Staff are recommending that the approval of development permits for single storey coach houses be delegated to staff. Council approvals tend to take 2-3 times longer than delegated approvals because of agenda deadlines, scheduling and reporting requirements. A reduced approval timeframe for single storey coach houses is a significant incentive, because it accelerates occupancy; often the owner's top priority if their objective is rental income or housing relatives. Development permit guidelines and regulations are no different for staff-issued development permits, meaning the same standards will apply and there will be no change in form and character and other features of coach houses. Additionally, applicants can appeal to Council on staff decisions related to delegated development permits. As a corollary benefit, this change will help decrease application processing times and assist with managing the significant increase in development applications that has occurred over the past ten years, because the time saved working on development permits for one storey coach houses will be applied to other files.

4. Zoning change: Create floor area credit for interior staircases in two storey coach houses

Currently, areas used for internal staircases in two storey coach houses are included in the 60m² maximum gross floor area for coach houses. Owners simply avoid this requirement by locating staircases on the exterior of the building, which are eligible for setback exemptions³. This can have the effect of placing high traffic areas close to neighboring properties and is less comfortable for the coach house occupants.

Encouraging staircases to be located inside the building allows for more aesthetically pleasing, less disruptive building exteriors. Staff are recommending that interior staircases be excluded from the allowable 60m² floor area up to a specified maximum⁴. Staff will also investigate prohibiting or discouraging exterior staircases as part of this.

5. Zoning and OCP change: Replace zoning requirement for 6m separation from principal dwelling with DP guideline.

Section 6.5(b(v) of the Zoning Bylaw requires coach houses to be located at least 6 metres from the principal building. The clause was intended to encourage “respectful” siting of coach houses near single family dwellings. Because the separation distance doesn’t apply to neighboring dwellings it may, in some cases, have the effect of pushing coach houses closer to neighboring properties.

Staff recommend replacing the zoning requirement with a development permit guideline requiring adequate separation between coach houses and the principal building. This will allow the siting of a coach house relative to the existing dwelling and neighbouring dwellings on a case-by case basis.

6. Zoning change: Different side yard setbacks for one and two storey coach houses

Currently side yard setbacks are the same for both one and two storey coach houses. Staff recommend increasing the interior side yard setback for two storey coach houses by 0.5 meters so as to situate two storey coach houses farther from adjacent property lines. This will reduce “overlook” and allow more access to light for neighboring properties.

7. Zoning change: Allow more siting options for coach houses, particularly on corner lots

Currently the Zoning Bylaw requires coach houses to be located in a rear yard (i.e. the single family dwelling must be between the coach house and the street). Coach houses on corner lots have better siting and access options and, by default, fewer impacts on adjacent properties (because there are fewer adjacent properties). Similarly, in rare cases, the design and shape of the single family dwelling may make a coach house sited in the side yard less impactful on neighboring properties.

Instead of limiting coach houses to rear yards, staff recommend changing the Zoning Bylaw to prohibit siting a coach house between the principal dwelling and a street, with an exception for corner lots.

³ Exterior stairs can project 1.5 metres into a front or side setback or 2.0 metres into a rear setback. In the case of the R-2 zone (where most coach houses are built) the interior side yard setback is 1.5 meters, meaning the stairs in a side yard can project up to the neighboring property line.

⁴ Likely about 10m² or 110ft²

Coach houses on corner lots could be sited to have better “street presence” and a small number of commonly-sized lots would have more options to site coach houses away from neighboring dwellings properties.

8. Zoning change: Exclude 45m² of covered parking area from site coverage calculations for one storey coach houses

Many homes in Old Town do not have garages and staff have found multiple examples where owners wishing to have both a covered garage/parking area and coach house have no choice under the Zoning Bylaw but to build a two storey coach house. Excluding up to 45m² of covered parking when calculating site coverage for a one storey coach house does not require a homeowner to consolidate a garage and coach house within the same footprint.

Staff recommend requiring the space to be used for parking and allowing the space to be attached to the coach house or single family dwelling or detached in a separate building. The exemption would apply to carports or enclosed parking areas and in some cases below-grade parking areas, which will also incentivize building single storey coach houses on sloped sites. It may also be necessary to develop companion development permit guidelines and zoning regulations to ensure that this rule does not generate a proliferation of accessory buildings and impermeable surfacing.

9. Zoning change: Change accessory building regulations to incentivize one storey coach houses.

A limit of two accessory buildings per lot was introduced at the same time as coach house regulations in the Zoning Bylaw. The definition of coach house classifies a coach house as both an “Accessory Dwelling Unit” and “Accessory Building” (both of which are also defined terms) and Section 5.9(a) of the Zoning Bylaw prohibits more than two accessory buildings on a property. This means the coach house counts towards the two accessory building limit. Similar to the pressure homeowners face in consolidating accessory building space and the coach house into a two storey building to meet site coverage requirements, the classification of a coach house as one of two permitted accessory buildings encourages owners to avoid losing indoor accessory space by relocating it in the lower floor of the coach house. For example, an owner wishing to build a one storey coach house on a property with an existing workshop and garden shed, would be required to remove either the garden shed or workshop to build a one storey coach house, but they could add a workshop to the ground floor of a two storey coach house and keep the garden shed.

Staff are recommending that accessory building regulations be changed to incentivize one storey coach houses rather than two storey coach houses. Under the proposed rules, owners would have one of the following options:

1. Two accessory buildings and no coach house.
2. A single storey coach house and one accessory building.
3. A two storey coach house with one accessory building no larger than 10 m².

Under the above regulations, the total size of accessory dwellings and coach houses would still be limited by site coverage and setbacks.

10. Zoning change: Remove floor area maximum for secondary suites in certain zones

The Zoning Bylaw limits secondary suites to 40% of the single-unit dwelling or 90 m², whichever is less. This rule was originally aligned with a BC Building Code restriction on the size of suites. However, in 2019 the Building Code was changed to eliminate the maximum size requirements for suites (see Attachment F). Many two storey houses in Ladysmith have upper and lower floors of equal sizes meaning in order to comply with the size requirement for secondary suites, there must be floor space partitioned for the principal dwelling on the same floor as the suite. This comes with significant design challenges and costs to the homeowner. Fire separation and similar requirements apply both vertically and horizontally, meaning the owner not only must construct a ceiling that meets these requirements, but walls as well. Moreover, the existing floor layout and structural requirements of the house may restrict functional partitions or make them uneconomical. Suites can offer a substantial cost savings over coach houses for homeowners because they utilize the existing building envelope.

Staff are recommending that the maximum floor area for suites be eliminated for lots zoned R-2 and R-2-A with a lot size greater than 660 m². This exemption would largely be limited to single-family dwellings in Old Town which may help incentivize investment in this area. Existing prohibitions preventing stratification of suites, suites in conjunction with B&B's etc. would remain in place in both the zoning bylaw and/or BC Building Code.

11. New development permit guideline: Supplemental variance

Section 490(a) of the *Local Government Act* allows the Town to issue a development permit that “varies or supplements a land use regulation bylaw” (emphasis added). Not to be confused with a development variance permit under section 498 of the *Local Government Act*, a section 490(a) development permit allows the Town to issue a development permit that builds upon existing zoning regulations and does not require public notification.

Staff are proposing that a development permit guideline be added specifying that the Town may require that a proposed two storey coach house be lowered to one storey in cases where the reduction in height is necessary to achieve the intent of the guidelines. Technically this new regulation will be redundant as the regulatory framework under the existing OCP guidelines and 490(a) of the *Local Government Act*, already allow the Town to do this. However, staff are recommending this change as a housekeeping amendment as it will remind Council and applicants that the Town can simply require that a proposed two storey coach house be reduced to one storey to meet the intent of the development permit guidelines.

12. Zoning change: Correct the minimum parcel size for coach houses on corner lots

Staff recommend changing section 6.5(a)(iii) of the Zoning Bylaw to reduce the 668 minimum parcel size for coach houses on corner parcels to 660 m². Bylaw No. 1904 amended 6.5(a)(i) to reduce the minimum lot size from 668 to 660m², to reflect the actual size of most lots in Old Town (many of which are 660m² not 668m²), but made no changes to section 6.5(a)(iii). It appears excluding 6.5(a)(iii) from these amendments was an oversight, as there are also many corner lots in old town that are only 660 m². This change will make more corner lots eligible for coach houses, which can help reduce their impact because corner lots have fewer adjacent owners. It will also make the regulations more consistent and easier to understand.

13. Design preauthorization program

Some jurisdictions have had success with “preferred” coach house designs that are commissioned and validated by the local government. Homeowners can use these designs free of charge or for a small fee⁵ and are more likely to receive approvals if they use them. Staff investigated this option and found it would likely be cost prohibitive to the Town and lead to a less diverse array of designs. However, staff are proposing a “pre-authorization” program. Under this system, the Town will send notification to regional designers, prefab home builders and contractors seeking template coach house designs. Staff will then “validate” designs for compliance with zoning regulations and consistency with the coach house development permit guidelines. Designs and company information can then be kept in a directory that can be made available to the public and companies will be able mention the “validation” in their marketing materials. Homeowners wishing to build coach houses can consult the directory to find their preferred coach house design and designer/contractor. Although it is not possible to provide guaranteed approvals, and each coach house proposal will need to be evaluated on a site-by-site basis, the owner will have a greater degree of certainty that their coach house will be approved and will benefit from a more convenient and economical design and construction process. In return, the Town will see higher quality designs on a more consistent basis and applications that are easier to review and process.

ANALYSIS:

For the legal reasons noted above, staff do not recommend a public or neighbor notification process for development permits for two storey coach houses.

Staff do not recommend prohibiting two-storey coach houses so as to require a development variance permit. Development variance permits are discretionary and designing a coach house for municipal approval can cost between \$6,000 and \$10,000. It is unlikely most home owners can afford to risk losing this amount of money on a development variance permit which has no expectation of approval. There is documented evidence to suggest strong community support for two storey coach houses and that they are currently the preferred option for providing this form of affordable housing. No matter what changes are made to coach house regulations, terrain, economics, housing and family needs will always make a two storey coach house the only viable option for some homeowners. The effect of a prohibition on two storey coach houses would be a policy resulting in a significant reduction in affordable housing options (and thus units) that is not aligned with community views/needs related to coach houses and affordable housing.

When considering community impacts of two storey coach houses, it is worth noting that there are a wide range of permitted options for building two dwellings on a property that not only have an equal or greater impact compared to two storey coach houses, but do not even require a development permit. Examples of these dwelling configurations that would be permitted on a typical 660m², R-2 zoned, non-corner lot include:

1. A two-storey single unit dwelling with a suite, 217 m² (2,344 ft²) of finished floor area, and full wraparound balconies/decks on each storey. The building walls could be situated within 1.5 m (4.92 ft) of one of the side property lines and the decks/balconies can extend right to this property line.

⁵ E.g. in Nelson homeowners can purchase the designs for \$1,000.

2. A secondary suite located in the second storey of an attached garage, with both a full wraparound balcony and cantilevered rooftop amenity area. The building walls could be situated within 1.5 m (4.92 ft) of one of the side property lines and the rooftop amenity area and balcony can extend right to this property line.
3. Any 7.5 m high principal building (approximately 2.25 storeys), with or without a suite with a full rooftop amenity area which can be located within 1.5 m of one of the side property lines. The rooftop amenity area can cantilever to the edge of this property line.

Any of the above examples can be sited within the view corridor(s) of adjacent properties or situated to overlook any adjacent property, providing they meet setback and lot coverage. Similar design options are available for duplexes, which are allowed on lots that are 780m² or larger. Not only do these examples illustrate how excessive a prohibition on two-storey coach house would be, the list highlights alternatives that owners will likely pursue if a two-storey coach house is an unviable (or more onerous) choice. If the Town's aim is to protect the character of existing neighbourhoods, allowing two storey coach houses as a permitted design option will help, not hinder, this objective.

There is ample room within the Town's existing regulatory framework to lessen the impacts of two storey coach houses and provide more opportunities for secondary suites and one storey coach houses. To that end, the proposed bylaw changes outlined in this report will help achieve this. The proposed changes will provide a broader range of options for homeowners looking to create additional housing while providing a reasonable expectation that they can obtain permission to build if the rules and guidelines are followed. Combined with existing rules and guidelines for coach houses, staff see little potential ambiguity in terms of what are, and are not, suitable coach house formats for Ladysmith. In basic terms, this means coach houses that have an undue impact on neighboring properties can simply be denied or directed to be modified, and coach houses that make positive contributions to the neighbourhood will be expected to be approved. Staff recommend endorsing the 13 recommended actions noted above for further review and Council approval.

ALTERNATIVES:

The Committee can choose to:

1. Recommend to Council that none of the 13 recommended actions be given further consideration.
2. Recommend to Council that only some of the proposed actions be given further consideration as specified by the Committee.
3. Recommend to Council that bylaws be brought forward to prohibit two-storey coach houses.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

The proposed regulations are in line with statutory requirements for local government regulations for residential land use. Legal review of the proposed regulations may be advisable prior to consideration by Council.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

A public hearing with newspaper notification will be required if the proposed zoning and OCP changes are brought forward for formal consideration.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Any proposed regulations or policy changes would be circulated to other departments for comment.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings | <input checked="" type="checkbox"/> Multi-Use Landscapes |
| <input type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input type="checkbox"/> Healthy Community | <input checked="" type="checkbox"/> Local, Diverse Economy |
| <input type="checkbox"/> Not Applicable | |

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|--|----------------------------------|
| <input type="checkbox"/> Infrastructure | <input type="checkbox"/> Economy |
| <input type="checkbox"/> Community | |
| <input type="checkbox"/> Waterfront | |
| <input checked="" type="checkbox"/> Not Applicable | |

I approve the report and recommendation(s).

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

- A. Previous Council Direction
- B. February 2013 Zoning Bylaw Consultation Summary & Issues Report Coach House Consultation
- C. October 2013 Zoning Bylaw Update Summary Report
- D. Zoning Bylaw Update Workshop Presentation
- E. July 9, 2018 Staff Report
- F. Bulletin: Changes to the BC Building Code for Secondary Suites

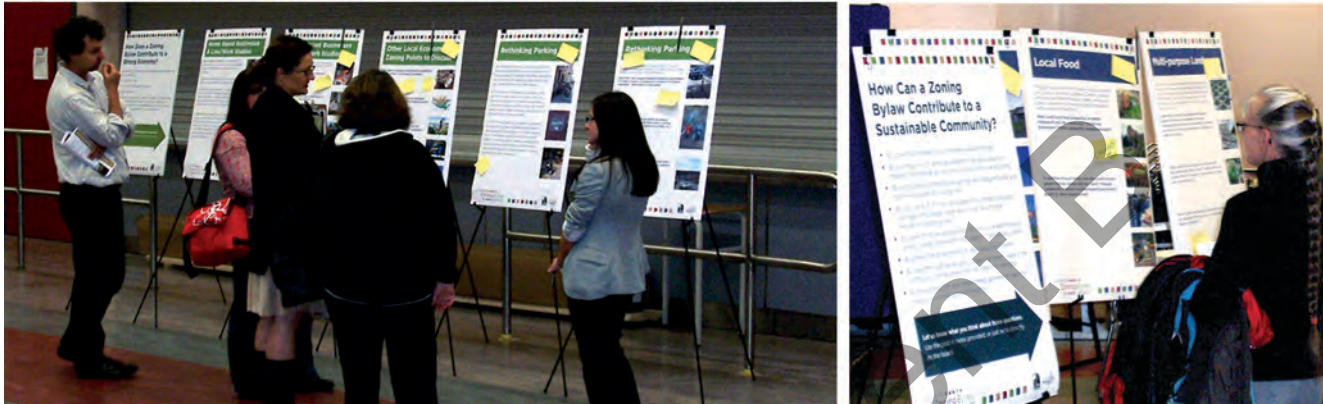
Attachment A

Resolution	Meeting Date	Resolution Details
CS 2021-092	16-Mar-21	That Council direct staff to bring forward amendments to the Zoning Bylaw related to two-storey coach houses as identified by the Committee of the Whole
CS 2019-038	24-Jan-19	That Council direct staff not to proceed with consultation on coach houses.
CS 2018-340	17-Sep-18	That Council refer the matter of two-storey coach houses to the incoming Council for consideration.
CS 2018-248	09-Jul-18	That Council: <ol style="list-style-type: none"> 1. Receive the staff report dated July 9, 2018 summarizing the coach house consultation 2018 results 2. Direct staff to amend the 'Fees and Charges' bylaw such that a reduced application fee of \$1,000 is applied for coach house rezoning applications on an R-1 zoned lot.
CS 2018-249	09-Jul-18	That Council direct staff to prepare a report to Council with recommendations for conducting further community consultation on coachhouses in the R-1 zone, focusing specifically on R-1 zone residents as they are directly impacted by the proposal to permit coach houses in the R-1 zone.
CS 2018-064	05-Mar-18	That Council receive the recommendation from the Advisory Planning Commission supporting the review of permitting coach houses outside the downtown area in the Single Dwelling Residential (R-1) zones, utilizing the existing coach house regulation framework and considering each local neighbourhood.
CS 2018-026	13-Feb-18	That Council request staff to review the Zoning Bylaw in order to determine means for appropriate discretion with respect the original intent of the coach house bylaw as it applies to lot sizes in Old Town that do not quite meet the minimum lot size of 668 square metres.
CS 2017-397	04-Dec-17	That Council: <ol style="list-style-type: none"> 1. Pursuant to s.475 of the Local Government Act, direct early and ongoing consultation for the consideration of extending Development Permit Area 10 "Coach House Intensive Residential" to new areas where a coach house is permitted. 2. Direct that the project to allow coach houses outside of the Downtown area focus on properties in the R-1 Zone, as well as form and character considerations. 3. Confirm that this project will be included in the 2018-2022 Financial Plan, if Council wishes to pursue this project.
CS 2017-255	21-Aug-17	That Council direct staff to bring back a report outlining recommendations for possible amendments to the zoning bylaw to permit coach houses outside the downtown area.
MS 2017-042	13-Jun-17	That the Committee recommend that Council direct staff to bring back a report outlining recommendations for possible amendments to the zoning bylaw to permit coach houses outside the downtown area.

CS 2014-312	15-Sep-14	That the proposed amendments to Zoning Bylaw 1860 be referred to staff for development of recommendations for alternatives to an owner occupancy requirement for coach house dwellings.
CS 2013-443	16-Dec-13	<p>It was moved, seconded and carried that the Zoning Bylaw update include amendments to permit coach houses in phases with coach houses first permitted in and around the downtown in the current R-2 and R-2-A zones as follows:</p> <ul style="list-style-type: none"> • With a minimum parcel size of 668 sq. m. where a lane or other secondary access exists (e.g. corner lot) • With a minimum parcel size of 780 sq. m. where a lane does not exist; <p>And that coach houses also be permitted on larger rural parcels (proposed RU-1, A-1, A-RR zones);</p> <p>And that the maximum floor space of a coach house be 60 sq. m. to support Official Community Plan policy</p>
CS 2011-270	20-Jun-11	<p>It was moved, seconded and carried that the phased implementation of secondary suite policy and regulation be supported, through the creation of:</p> <p>Phase I</p> <p>...</p> <p>d) land use (Official Community Plan) policy to support detached secondary suites (coach houses and ground-oriented cottage suites); and</p> <p>Phase 2</p> <p>e) new regulations and design standards for detached secondary suites within the scope of work for the Zoning Bylaw project</p>

Ladysmith Zoning

Bylaw Update



Consultation Summary & Issues Report

Prepared for the
Town of Ladysmith

February 2013

CITY  SPACES

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A. Introduction

CitySpaces has been actively engaged with Town staff, Council, stakeholders, and the Ladysmith community to provide information and gather feedback on the Zoning Bylaw update process. The purpose of this report is to summarize the consultation events that have been held to-date and outline for discussion the points and issues that were raised. In addition, it will be valuable to reflect on the key messages received in light of the findings from our initial review of the Town's policy and regulatory framework, towards illustrating gaps in the current Bylaw, as well as opportunities to be considered as the update process moves into the more detailed, technical review phase.

B. Process Overview

The consultation events described through this report form part of the initial Issues Identification phase of a four phased process. The messages and input received will be combined with concurrent research undertaken by the consultant team towards outlining a "road map" of issues to prioritize and address through subsequent phases. The process and its phases are illustrated in the diagram to the right.



C. Consultation Events

Three consultation events have been held to-date, targeting Ladysmith Council, local stakeholders and the general public. These sessions provided an opportunity for CitySpaces to provide each group with introductory information about the Bylaw update and facilitate conversations to help identify priority issues. Key to these conversations and the topics discussed was a list of bylaw issues prepared in advance with Town staff.

As well, a web platform was launched prior to the events in an effort to offer the community a consistent and identifiably branded source of project information and updates. A series of background mini-papers was also prepared, intended to provide a starting point for the subsequent stakeholder and public discussions. Beyond the website, newspaper ads and posters were also used to notify the community of the public event.

To visit the website, please go to: www.ladysmithzoningbylaw.ca.



Council Workshop: October 16, 2012

A workshop with Council, held jointly with staff, gave Council the opportunity to discuss priority topics for the Zoning Bylaw update.

Top of mind issues identified in the workshop included:

- Diversity in housing;
- Density – smaller lot;
- Secondary suites – coach houses;
- Economic drivers;
- Affordability;
- Social diversity;
- Downtown vitality;
- Affordable housing;
- Employment opportunities;
- Quality of life - small town, heritage feel;
- Positive progressive growth; and
- Environment/carbon footprint.

Stakeholder Workshop: October 20, 2012

Stakeholders attending the workshop included: members of the development and real estate industry, property owners, and local businesses invited to participate by the Mayor; Town committees (Advisory Planning Commission and Design Panel); as well as Mayor Hutchins and Councilor Gord Horth. Through several interactive exercises, and graphic facilitation techniques, stakeholders discussed elements of Ladysmith they feel are important to maintain, challenges with the existing Bylaw, and future directions for the Town to consider.

The discussion was organized according to principles outlined in the Town's existing Official Community Plan, its Community Vision, and more notably, its 8 Pillars of Sustainability.



Public Ideas Cafe: October 20, 2012

The Ideas Cafe was the first opportunity for members of the public to learn about the Zoning Bylaw update process, review initial information, and respond to questions posed by the consultants on information panels. In addition to conversations and questions asked of the project team and staff at the Ideas Cafe, participants provided direct feedback using sticky notes to respond to questions about each topic. Comment forms were also provided, to be filled out during the Ideas Cafe session or returned to the Town by November 5, 2012.



D. What We Heard: Issue Identification

The points in the sections below represent the comments, questions, issues, and suggestions that were brought up in each consultation event. Where possible, input has been categorized according to broad topic areas consistent with the Town's 8 Pillars of Sustainability.

Much of the feedback gathered at this stage is general in nature, however common to all groups, was the recognition that **Ladysmith has a special character and identity that should be maintained and enhanced.**

Complete Communities Land Use

Amongst members of Council, stakeholders and the general public, housing was a key topic of interest. Many expressed an interest in creating walkable neighbourhoods, providing a range of housing types, and regulating coach housing. More specific feedback about minimum lot sizes and regulation for accessory buildings were provided. Coach housing was well received as an alternative housing form, but concerns expressed that size, parking, and design issues be carefully considered.



COUNCIL:

- Row housing and pocket neighbourhoods.
- Need age-friendly communities. Address accessibility.
- Make sure people can live within the community with dignity.
- R1 lot size adjustment vs. new small lot zone.
- Commercial opportunities in residential areas?
- Coach housing – form and character important.
- Design Guidelines for privacy.
- Investigate small lots.
- Infill housing opportunities.
- Coach housing.
- Development scale and height.
- Parking challenges.
- Explore public institution use.
- Consider rooming houses.

STAKEHOLDERS:

- Densification and multi-use neighbourhoods enhance walkability.
- Increased density, choice of unit types, etc. Must maintain standards of livability.
- Review lot sizes and setbacks. Lot sizes are large. Consider small lot options.
- Coach houses are good but need to be regulated in a way that provides certainty. Minimum lot sizes, setbacks, parking requirements, heights, design guidelines. Ensure coach houses “do no harm”. Ensure privacy for all.
- Ancillary building requirements/specifications should be reviewed (size).
- More residences downtown.

COMMUNITY:

- Mix of styles that fit with the Town’s heritage culture.
- Housing options like the row housing in Nanaimo.
- Small lots with limited vehicle accommodation to encourage (eventually) fewer cars.
- 3 houses on 2 lots would be ok.
- Consider 30’ lots to improve affordability for next generation.
- Don’t allow lots smaller than 6,000 sq. ft.
- Small lots are not needed in a town with so much land.
- Preserve green space by having more density infill in town.

Coach Housing:

- Many support coach housing (one-storey or above rear garage) with regulations to control size, height, parking (on-site), adequate setbacks, lot coverage, design.



- Design should match or complement primary home.
- Lot size must accommodate parking for residents, RV/trailers, and allow for drainage.
- Concern about access from back lanes (safety, maintenance, snow removal).

Vibrant Local Economy

COUNCIL:

- Live/work opportunities.
- Home-based businesses. Small scale commercial (e.g. backyard produce sales).
- Smaller business opportunities.
- Revitalize the downtown core.
- Improve economic vitality.
- Address affordability.
- Flexible use definitions.
- Eco-industrial operations.
- Update development permit area guidelines.

STAKEHOLDERS:

- Need more investment/economic generators downtown. Support/spur revitalization.
- Expand the uses permitted in commercial zoning, or make zones and definitions less specific to allow for a wider range of commercial uses.
- Commercial buildings should face and frame the street.
- Downtown should be pedestrian-oriented.
- Maybe emphasize correct building form and scale rather than use.
- Commercial and industrial buildings near the waterfront – consider view corridors and public access to the water, location, siting and design.
- Need to remove as many barriers as possible that prevent people from starting businesses.
- Live/work options.
- Allow for commercial uses in residential areas, e.g. corner stores.

COMMUNITY:

- Street cafes, artists studios, add vitality downtown.
- Encourage/target youth employment tied to Vancouver Island University and Ladysmith Secondary School.
- Limit height to 4–5 storeys on flat land in downtown core (human scale), and limit development to a lower scale elsewhere.
- Regulations should not increase costs (e.g. of housing).
- Businesses and jobs: permanent year-round public market (like Granville Island), hostel, clothing stores, music venue/restaurants to appeal to young professionals, hotel, offices.



- Marine-related activities could include: better interface between marina, expo building, train station, and downtown pub on the waterfront, marine-based repairs, and sale of marine-related products.

Home-Based Business:

- Home-based businesses should include those that “fit the town culture” and benefit the community, health services, arts and culture, professional offices.
- Home-based businesses should not have a large number of clients who visit the premises.
- Number of employees for home-based businesses should depend on location, office size, and number/type of clientele (one comment suggested 3 employees).
- Traditional zoning, keep dust, noise, odour contained – perhaps more performance standards instead of blanket prohibition; concern is impact not number of employees, visitors or means of production.
- Best areas for live/work is in the downtown and a peripheral zone around downtown, other areas with consultation.

Low Impact Transportation and Parking

Parking in downtown Ladysmith generated considerable discussion. Most expressed support for reducing parking standards in the downtown, while considering alternatives such as stalls for car-sharing, electric vehicles, more bike parking, and accommodating motorized scooters. All groups emphasized the importance of a pedestrian-friendly downtown, where people can walk between shops, but also recognized the need to provide parking downtown. In the residential context, parking issues related to secondary suites, coach houses, and recreational vehicles were discussed (see Housing and Density section for more commentary). Issues outside the regulatory scope of a Zoning Bylaw also included the introduction of one-way streets downtown, or closing off certain sections to vehicle traffic in favour of pedestrian zones.

COUNCIL:

- Address parking in downtown, including bicycle parking, scooter parking, and electric vehicle charging stations.
- Consider pedestrian-only area, or one-way streets?

STAKEHOLDERS:

- Need clarity around parking regulations and requirements for downtown businesses.
- Pockets of parking adjacent to commercial areas (e.g. behind buildings), not more street parking.
- Provide incentives to reduce parking numbers — cash-in-lieu is one option. Car sharing, plug-in stations for electric cars.
- Connections from parking areas to shops should be pedestrian-friendly. Encourage people to park once and visit multiple stores.
- Pedestrian-friendly is created through a combination of physical and regulatory elements: parking pockets, seating, appropriate road and sidewalk widths, allow for outdoor display and seating, provide weather shelter, clear access to business entries, etc.



- Parking meters and one-way streets aren't good solutions for Ladysmith.
- Need to accommodate residential parking needs e.g. for boats and RVs.
- Small lot residential with parking access from lanes.
- Use wide streets better – make them bike-friendly, add community gardens?

COMMUNITY:

- Consider permeable parking surfaces on lots with coach houses (pavers, grass).
- Parking lots should require a certain number of trees per parking space.
- Consider underground parking.
- What about parking for RVs – e.g. between rail tracks and Transfer Beach.
- Agree with reducing parking requirements downtown.
- Ask businesses to encourage employees to ride share.
- Consider additional trolley run to downtown during commuting hours (before 9am and after 5pm).
- Close off First Ave (from Roberts St. to post office) with emergency access and pedestrianize street to allow for cafes, plants, etc.
- Close off Roberts to Buller Streets and focus on turning into a historic downtown, bringing one-ways into direct traffic, past the alleys where more retail spaces open on to, placing convenience shopping close to existing lots (parking).
- Build more bike storage capacity: short-term bike racks, mid-term lockers for daily rent, long-term indoor storage for multi-unit residences.
- Take all parking off 1st Ave between Buller and Roberts (batch parking on 2nd and between 1st and TCH).
- Four-wheel scooter parking on street, currently park on sidewalk.

Permeability, Energy Efficiency & Local Food Production

At both the Council and stakeholder workshops, it was acknowledged that principles of sustainability should be reflected throughout the Zoning Bylaw. Densification, increasing housing choice, and walkability, economic vitality, and reducing parking standards were some of the points identified as contributing to sustainability. In response to specific questions on the Ideas Cafe boards, members of the public provided feedback on alternative energy sources, water conservation, and local food issues.

COUNCIL:

- Alternative energy options, towards carbon neutrality;
- Green buildings;
- Local food production.
- Intensify downtown.

STAKEHOLDERS:

- Sustainability is more than the environment – also economic and social.



PUBLIC:

- 50% of property should be permeable - gravel, grass, garden, etc.
- Landscaping boulevards should be encouraged.
- Much more planting – green spaces promote vitality and draw people.
- Enhance permeability. Keep swales and creeks open.
- Rain water leaders on new construction should be an option instead of mandatory.
- Encourage backyard gardens and goods/fruit sharing.
- Some support for windmills, but some concern over noise and feasibility (is Ladysmith windy enough?).
- Allow natural gas furnaces and solar panels.
- Require solar-ready buildings consistent with recent amendments to the BC Building Code.

Local Food:

- Facilitate garden partnerships between homeowners with potential garden areas, but no time, and citizens (apartment dwellers) with an interest in gardening.
- There are fruit trees in the town that are not harvested, connect with owners and arrange for regular picking, could be given to churches and food bank.
- Subsidize water use for food production by taxing grass watering.
- Restrictions on non-indigenous plantings in favour of xeriscape and food plantings.
- Yes to backyard chickens if proper rules and regulations apply.
- Share food through community markets and home-based businesses.
- Public market downtown (to engage people IN the business area), permanent, year-round (good idea, just make sure the block used alternates so businesses only lose business every 5-6 weeks).

General Comments

COUNCIL:

- Review the rezoning process.
- Remove archaic language.
- Remove or replace inappropriate terms.

STAKEHOLDERS:

- Enforcement of bylaws – need to clarify penalties and update penalties to be relevant and effective.
- Clarify criteria for variances. The Bylaw needs to be flexible enough to allow for adaptation as market demands and needs change.
- Needs to find a balance between flexibility and certainty.

PUBLIC:

- Don't layer on a lot of added regulations and costs.



- This session should be repeated and held downtown where more people can see and comment, also perhaps on an evening during the week.
- What I like about Ladysmith, and hope is kept, is Council's slow deliberating process considering applications. Too many Councils rush to approve development applications without considering ramifications on existing community or how a proposal may affect future good things, i.e. a low quality development approved in tough times will chase away potential high quality development.

E. Initial Bylaw Review: Issue Identification

Reflecting on the origins of the current Bylaw, which date back to 1986, it is perhaps not surprising that many of the community's comments relate to the Bylaw's inherent limitations, especially in light of the more progressive policy base that has been developed by the Town in recent years. Noting that, a concurrent review of the Zoning Bylaw was also undertaken, assessing its regulatory provisions against those in peer zoning bylaws from surrounding areas and across the province.

Drawing upon the messages received from the engagement events held to-date, the below section expands upon those key areas identified by Town residents, stakeholders and Council, offering the basis for continuing discussion with staff during the next phase of the Zoning Bylaw review process.

Review of Liveability and Housing Forms

As noted above, much of the discussions focused on what is best defined as liveability. That is, there is strong appreciation and value placed on the Town's existing character, as evidenced by people's comments related to its walkability, the prevalent housing forms, and the general 'feel' such quality helps to create. Yet, there was also acknowledgment that a balance exists between preservation and encouraging new forms of development and levels of density, with the intent of enhancing the existing character and potentially adding further measures of housing affordability and choice to residents. Picking up on past directions expressed through the Town's existing policies, a number of housing forms were identified for discussion in the mini-papers and in the material presented at the consultation events, including: coach houses; clustered or 'pocket neighbourhood' housing; free simple row housing; smaller homes on smaller lots; modular housing; live-work units; and floathomes.

From a review of the existing Bylaw, it was observed that the Town currently permits a good number of dwelling types over and above traditional single-unit, duplexes (two-unit), and multi-units forms such as secondary suites and modular housing. In response to the comments raised about greater housing choice, further exploration of a resident-occupied floathome use should be undertaken, one that could equally provide an additional form of waterfront animation and activity.

As well, the current Bylaw defines, but does not permit, clustered dwellings and row housing dwellings, likely as a result of the type of housing being contemplated under the existing multi-family dwelling definition. Specific to clustered housing, additional limitations are noted regarding the need for such dwellings to be attached, limiting detached forms such as those found in some pocket neighbourhoods. Clustered dwellings and row housing are proven strategies to deliver greater land-use efficiency and where applied to areas with hillside or environmentally-sensitive area considerations, greater preservation of the local character and environment.



Coach Houses

In 2011, Ladysmith amended the Bylaw to permit secondary suites, following considerable discussion with the community. While coach housing was also discussed, this type of accessory suite was not incorporated into the Bylaw. At the recent consultation events, coach housing was well-discussed as an alternative housing form, much as it has been in past discussion opportunities. Consistent with past consultation outreach, feedback highlighted that size, parking requirements and design issues must be carefully considered.

There are several communities across BC that have incorporated coach housing into local bylaws, with varying degrees of regulation. Some rely on bylaw regulations, while others such as Vancouver and the City of North Vancouver have developed comprehensive design guidelines to supplement bylaw regulations.

In communities such as Vancouver, the City of North Vancouver, Surrey, and Summerland, key regulations define the lot dimensions, setbacks, and separation distances between structures, which ensures a lot can adequately accommodate a detached secondary suite and account for privacy. Lot coverage is another standard regulation, with most bylaws restricting lot coverage by coach houses to 10% or expressing lot coverage as a total value not to be exceeded when combined with the principal dwelling. The maximum floor area also contributes to the impact of a coach house, with reviewed examples ranging from 40m² up to 75m².

Coach house height tends to range from 3m for one-storey units, up to 7m for units above garages. The City of North Vancouver established a building envelope for one-storey units, with a maximum height of 4.5 metres to allow for angled roof designs. The City of Vancouver defines specific height maximums for several different roof styles.

Parking and access are two issues that were top of mind for many Ladysmith residents. While some communities only permit coach houses on lots with lane access, consistently across the reviewed communities, at least one additional off-street parking stall was required for a coach house.

Further discussion will be necessary to assess acceptable thresholds for these factors, such as height, area, parking, and design. More in-depth analysis of the regulations in other communities will provide examples that can be discussed and tested in the Town of Ladysmith context to ensure any ensuing regulations address local concerns and fit the local character.

Lot Sizes and Densities

Noting the comments regarding the lot sizes in Ladysmith, with some comments suggesting that lot sizes are too large, or similarly that there is interest in exploring smaller lots, an assessment of lot sizes and densities permitted in various municipalities across the province was undertaken for single-unit, two-unit, townhouse, and low, medium and high density multi-unit forms.

From the analysis it was observed that lot sizes in Ladysmith are larger in the detached housing zones than the comparable average and mode (most common) evidenced from across the province. As a comparison, the Town's typical single-unit zone requires a minimum lot size of 668 sq. m., while elsewhere in the province, a more common lot size for similar form of development ranges between

500 and 600 sq. m. It should be noted that there are some zones that currently permit smaller lots in Ladysmith, specifically, 372 sq. m. in the MÚ-1 zone.

In terms of permitted densities, and with a focus on the Floor Space Ratio, the Town is well-positioned with its maximum densities closely following those commonly found amongst its peers across the province. However, it is noted that the medium density multi-unit zone permits a considerably lower maximum FSR of 0.66, compared to an average of just over 1.0 FSR in other municipalities in the province.

These observations should form the basis for continued exploration and discussion, as it is noted that the above finding need also be interpreted in light of the community's character aspirations and the overall development patterns present in the surrounding built form.

Downtown Mixed-Use

It is noted that in light of the comments raised about accommodating additional opportunities for downtown living, the current Bylaw already permits mixed-use commercial/residential forms. Further, the provisions regulating this form of development are limited (and therefore less restrictive) compared to other Zoning Bylaws, suggesting that any perceived limited development interest may have more to do with market forces than regulatory obstacles. However, it was also discussed at the stakeholder session that the regulations requiring separation of the residential uses from grade-level, a direction common amongst mixed-use regulatory provisions, may deserve further examination. The suggestion was raised in an effort to address what the group identified as under-utilized, and at times, vacant storefronts/commercial buildings, offering more ground-oriented animation and activity through select residential opportunities, not to dilute however, the commercial character of the downtown.

As for informing possible areas of revision in the updated Bylaw, this notion points to further exploration of permitting live-work or purely residential uses in the downtown, in absence of any requirements to segregate residential and commercial uses.



Commercial Uses

Commercial activity, and in particular the existing permitted uses, were primarily discussed amongst the community through the lens of economic vitality, especially in terms of the downtown area. Some see downtown revitalization as being limited by a narrow definition of permitted uses in the Bylaw, raising interest in discussing further whether the revised Bylaw should be more prescriptive and provide a longer list of permitted uses for commercial (and potentially industrial) areas, or whether it would be more beneficial to draft the Bylaw in more general terms towards providing broad categories that would inherently permit a wide variety of uses.

The initial review of the uses permitted in the Town's existing commercial zones indicates a broad range of uses already exist. For ease of subsequent comparisons, the existing permitted uses were grouped into the following categories: Commercial (including uses such as hotels, offices, financial institutions), Entertainment (restaurants, theatres, recreation facilities) Retail, Personal Service, and Service Commercial. Elements of the Community Vision addressing the downtown were also examined to assess the level of support offered through the current zoning regulations in terms of the future vision for Ladysmith's historic downtown.

In policy, the vision for the downtown is one of vibrancy, towards maintaining and enhancing the historic small-town boutique nature of Ladysmith, generating economic activity, and creating an animated place. A number of specific uses are also identified as possible means to deliver such activity.

It should be noted that the uses permitted in the Town's commercial zones (including Highway/Service, Tourist Recreational, Community Commercial, and Mixed-Use zones) do not preclude the types of specific shops and services envisioned in the Community Vision document. For example, the Vision document, reflective of the comments shared by stakeholders and the public, calls for more entertainment uses such as restaurants, pubs, and live music venues. These uses are permitted through the current zoning, but are not well-represented on the ground. Further analysis of the specific regulations associated with these uses will be needed to assess if there are irregularities or challenges inherent to the regulations that may be limiting these types of uses in Ladysmith. Conversely, additional uses identified in policy such as pet daycare, artist studio, live/work, lounge, and production studios are not currently permitted in the commercial zones, offering a starting point for further discussion regarding updating the commercial zones.

With regard to economic and employment drivers in commercial and industrial areas, there were few comments on specific uses that should be introduced, rather, it was communicated that changes to the Bylaw should not impede economic development in any way, and should support the expansion of new businesses. Further review and discussion will determine if opportunities exist to reduce any impediments, perhaps to combine zones, add or remove uses, and refine regulations through the Bylaw update in order to assist the Town in pursuing the directions set out in the Community Vision.

Marine-Oriented Uses

The community conversations touched briefly on marine-oriented uses, with focus being on the need to take advantage of the waterfront as a community asset. It was suggested that forms of development, whether they be commercial/industrial buildings or other uses, should respect and maintain view corridors and contribute positively to the public realm.





Home-Based Businesses

Council, stakeholders and the general public share the view that home-based businesses are beneficial to the Town economy. While no significant concerns were identified in the discussions held to-date, participants expressed an interest in measures that will minimize the impact of home occupation on neighbourhoods, particularly in regards to regulating the parking, number of employees and external evidence of businesses. There are currently 156 home-based business licenses in Ladysmith.

Similar to Ladysmith, other municipalities across BC limit employees to one or two in addition to the resident of the home. Further consistency between the Ladysmith Bylaw and those of peer communities across the province is evidenced in that one parking stall is usually required for home-based businesses, and only one commercial vehicle associated with the home occupation can be parked or stored on site. Some bylaws may limit the number of visits per home-based business, but many are silent on the number of clients or customer visits per day. Typically, a home-based business should not generate traffic to/from the business that would otherwise exceed what would be reasonable for the neighbourhood, a sensible provision found in many bylaws, but one that could pose enforcement challenges for the Town in terms of defining what is “reasonable” for the neighbourhood in question.

Regarding signage, it has been observed that some bylaws rely on a sign bylaw to control signage for home businesses, while others do specify in the zoning bylaw maximum size limits for signage – often ranging from 0.14m² to 0.4m². In Ladysmith, signage is regulated by the Sign and Canopy Bylaw. Additionally, most other municipalities require that home-based businesses have a valid business license.

While the current bylaw covers several regulations common to other municipalities in BC, the existing regulatory provisions should be reviewed and additional directions considered in order to better define home-based business, as well as limit their impact upon the surrounding neighbourhoods.



Transportation and Alternate Parking Requirements

Through the input received on the issues of transportation and parking, it was clear the community is not committed exclusively to an auto-oriented experience. Rather, many insightful and creative ideas were raised, offering options to reduce the priority of the private vehicle. Specifically, there was support for investigating incentives to reduce the amount of vehicle parking required by a development or use, such as car sharing, provision of parking/charging stations for electric vehicles, and provision of 4-wheeled scooter parking. Towards this end, further analysis will be needed to determine how the Town's parking requirements relate to those of surrounding communities. In addition, and in recognition of other comments provided regarding the interest in smaller lots and new housing forms, the analysis of the Bylaw will also need to consider the implications of parking requirements upon potentially smaller parcels that accommodate more density.

Additionally, and while not raised directly through the consultation events, it was observed that the Bylaw is currently silent on the parking/storage of recreational vehicles and commercial vehicles. This is a common regulatory area that can, in absence of clear requirements, generate tension between neighbours. As such, further development of such regulatory provisions is also suggested.

Related to the issue of parking requirements is the matter that off-street parking areas are typically hard surfaced, presenting expanses of impermeable areas that also contribute to the heat island effect. Comments suggested that greater planting and in particular, the provision of trees, be considered towards mitigating these conditions. Certainly, this is an area that zoning regulations and development permit area guidelines can address, however further discussion will be valuable towards drafting appropriate landscape provisions.

Many comments were also received that are outside the regulatory scope of a Zoning Bylaw, pertaining to the street network, public transit, employee ride-sharing, and numerous physical design characteristics. While these latter elements as well as the public realm aspirations might be addressed through Development Permit Area Guidelines, it is suggested that the remaining comments be kept as a record of the community's interests, to be considered at the time the Town opts to review its other regulatory bylaws (i.e. Subdivision Bylaw, Streets and Traffic Bylaw, Building and Plumbing Bylaw, etc.).

Parking Pay-In Lieu

It is acknowledged that the Town through the existing Bylaw currently makes available the option to provide cash in-lieu of up to 50% of the required parking spaces in the Downtown Specified Area. However, as noted in the Bylaw, the funds generated through this approach are to be directed to a Municipal Parking Fund. Further discussion as the Bylaw update proceeds about alternative reserve fund options (as permitted by past amendments to the *Local Government Act*) is suggested, with the intent of identifying potential opportunities to provide funding towards addressing the many comments raised by the Town about providing greater bike parking and increasing pedestrian connectivity.

Multi-Purpose Landscapes

Related to the comments identified earlier relating to landscaping of parking areas, the community expressed a preference towards greater planting and permeability throughout the Town.



Currently, the Bylaw provides limited landscaping direction aside from the typical screening requirements. This shift towards greater landscaping is shared across many communities in BC, as evidenced through the development of specific requirements such as defining a percentage of the lot that must be planted and permeable, the use of native and drought tolerant plant species, the retention of mature and possible characteristic plantings, and at times, limiting the types and location of plantings towards reducing fire interface risk. Noting the community's interest, exploration of additional landscape provision should be undertaken.

Connected to the comments relating to landscape regulations is the input expressing interest in utilizing the Town's landscapes towards increased food production. The growth of local food production is being experienced province-wide, and can be evidenced by the increased demand for community gardens and local food markets.

F. Next Steps

As the initial phase of the current process to update the Zoning Bylaw comes to a conclusion, the input received lends insight into the community's interests and priorities, generally in the areas of housing choice and affordability, economic vitality and expanded commercial opportunities, parking in the downtown, and overall character enhancement. Further, it is noted from the concurrent comparative Bylaw analysis that Ladysmith is already well positioned in many of those areas of interest; notably in the housing types defined by the Bylaw, the range of minimum lot sizes permitted, and the minimum number of parking spaces required by development across the Town. With these strengths were also identified a number of limitations, however, presenting unintended challenges to accommodating much of the community's interests. This is particularly evident in the range of currently permitted uses, that while intended to be wide in scope are instead limiting development conformity due to uncertainty with existing definitions and their interpretation.

The comments raised through the consultation events and the initial review of the Bylaw are also intended to shape a concurrent series of technical workshop discussions held in January and February. In gathering the Town staff that work with the Bylaw on a daily basis, and have developed as a result valuable institutional memory in past interpretive decisions and existing procedures, the workshops represent a further opportunity to discuss identified issues and prioritize possible solutions in light of Town processes and resources, to ensure that the end Bylaw is viable in terms of its implementation.

With that, and turning towards the next stage of the process, the outcomes from the workshops will subsequently inform the drafting of the revised Bylaw, with the intent of bringing the draft Bylaw back as sections are revised (presenting possible alternative options where appropriate) to Council, stakeholders, and community residents for a continued dialogue.



Appendix A
Consultation Feedback

Attachment B

Memorandum

To: Felicity Adams
From: Brent Elliott
Date: Tuesday, February 12, 2013
Re: Ladysmith Zoning Bylaw Update – Consultation Feedback

Please find below a summary of the comments provided through consultation events held in 2012 for the Zoning Bylaw update. Events included:

1. Council Workshop - a workshop with Council identified priorities and highlighted key topics to address through the update process.
2. Stakeholder Workshop - Stakeholders, members of Town committees, and Mayor Hutchins and Councilor Gord Horth.
3. Public Open House (Ideas Cafe) - Comments on presentation boards and from a Questionnaire.

COUNCIL WORKSHOP

Key priorities for the Zoning Bylaw Update identified by Council in the workshop on October 16, 2012:

Top of Mind Issues

- Secondary suites – coach houses
- Diversity in housing
- Densification – smaller lot
- Economic Driver
- Affordability
- Social Diversity
- For different age groups
 - Younger

Economic Drivers

- Smaller businesses
- Live/work
- Simplify rezoning process
- Public inst. use in all zones
- Remove archaic language
- Inappropriate terms
- Mechanisms to ensure we don't stumble in the future
- Builds on community values

- Form and Character
- How much growth and how is growth absorbed?
- Opportunities for progressive growth/development
- Making sure people can live within the community with dignity
- Appropriate checks and balances:
 - Sustainability
 - Small town feel
 - Open for business but not at any cost
- Residential parking funds to offset commercial obligation?

Where are the Priorities?

- Row housing, pocket communities
- Commercial nodules within residential
- Urban containment – growth boundary (flexibility)
- R1 zone lot size adjustment vs. new small lot zone
- Revitalize downtown core
- Age-friendly community – accessibility
- Infill commercial – use laneways and alleys
- Balance community views
- Home-based business, commercial in backyard (gardens, etc.)
- Coach house – form and character!
 - How to deal with those already there?
 - Owner-occupied?
 - Infrastructure associated with increased density
- Privacy design guidelines
- Parking in Downtown
 - Improve vitality economically
 - Pedestrian-only area or one-way?

STAKEHOLDER WORKSHOP

At the Stakeholder Workshop held on October 20, 2012, comments and key points were recorded on flip charts during interactive exercises, and via graphic facilitation during the group discussion.

1. Flip Chart Notes

Why Ladysmith?

- Great place to raise a family
- Safe
- Walkable
- Sense of community, friendliness
- “Robust smallness”, working community, not a retirement community
- Outdoor life, active – trails, ocean, golf, ski
- Scale and character = comfortable
- Retains “authentic-ness”
- “Self-policing”, know your neighbours
- Amenities

- Sense of ownership
- Make effort to maintain/improve what we've got
- Post office = community gathering place
- Charismatic
- People are drawn here
- Old Town – Downtown, waterfront, neighbourhoods
- Caring community – generosity and volunteerism
- Need an amenity – the community makes it happen

Issues

- Enforcement of bylaws – clarify penalties, update penalties
- Clear criteria for variances, etc.
- Parking meters and one-way streets don't fit with Ladysmith

Outcomes

- Coach house – certainty; do no harm
- More investment/economic generators in downtown – revitalization
- More residences downtown
- Parking clarity downtown
- Commercial zoning – expanded uses, or less specific and more general definitions
- Reflect community values
- Ancillary buildings' requirements/specifications
- Pockets of parking adjacent commercial areas, not more street parking – incentive (fee in lieu)
- Commercial – building to street front
- Connections from parking to shopping – more pleasant spaces to pass through; make more valuable to community
- Pedestrian-oriented downtown
- Level of specificity of uses?
- Sustainability is NOT only environment

2. Graphic Facilitation Banner

Key Issues and Options

- Employment generators
- Tourism
- Eco-industrial
- Home-based business
- Local food
- Green buildings/greening the town
- Mixed use landscapes
- Re-examining parking
- Bicycles/scooters
- Small lot housing
- Pocket neighbourhoods
- Walkable urbanism

Miscellaneous Comments

- “Do no harm” - replace archaic language
- Who’s going to enforce the Bylaw?
- Liveable, lovable Community

Employment Generators

- Marine-oriented uses/storage
- Need jobs!
 - Trades
 - How to make it easier for businesses to operate here
- Need a balanced document - not too prohibitive
- Neighbourhood corner stores - ultimate live/work!

Re-examining Parking

- Small lot with parking in laneways
- RV/boat parking: limits? restrictions? where? size?
- Pockets of parking - not dominating main shopping areas
- Better use of wide streets
 - Bike friendly
 - Community gardens
- Incentives for reduced parking
 - Car share
 - Plug-in stations

Small Lot Housing / Pocket Neighbourhoods

- “Small lot thought”
- Lot sizes, setbacks
- Densification - industrial commercial in residential
- Lane houses (existing areas)
 - On large enough lots
 - size
- Who will maintain laneway?
- Privacy
- Trail connections
- Walkability
- Waterfront development - public access - highway to water
- Flexibility / certainty
- Roads consistent with topography
- Connection
- Respect for view corridors
- Architectural character
- Increased housing choices
- Live/work
- “Eyes on the street”
- Clarify what’s provided and what isn’t
- Mix of uses/scale
 - Residential and commercial

- Form-based zoning
- Comprehensive development
- Housing choice: different use options

Sticky Notes (added by stakeholders and attendees of the Open House)

- Waterfront Development
 - Waterfront designed to enhance, not detract from the present usage and particularly the views and water access
 - More residential / less industrial
 - Attractive architecture / view corridors
- Balanced document - supports economic development
- Ease for economic development: live/work spaces, home-based businesses
- Do no harm
- Small lots - provide lanes or alternatives for extra parking
- Increase density (2)
- Densification
 - Lane houses
 - Pocket development
 - Pocket commercial
- Size of lots in regards to coach houses - need to be certain size prior to approval
- Smaller lots/subdivision - where do they park RVs? Street? Second car?
- Lots sizes (smaller) and setbacks
- Lane opportunities
- Trail connection in subdivision
- Waterfront development
- Commercial development in residential areas
- Comprehensive zoning including different zoning within development
- Enforcement - parking changing mindsets
- Better use of streets
- Flexibility: the more options, the better. The market will inevitably dictate the demand
- Pedestrian malls: backstreet parking / rain shelters
- Liveable, lovable neighbourhoods
- Coach houses encouraged
- Parking? View corridors (height), mix of uses, flexibility, balance
- Increase housing choices and "types" of neighbourhoods
- Better land use density
- Diversified uses
- Rigid enforcement
- Enhance "walkability" by encouraging roads and paths that go across the hills rather than up and down
- Consistent application of zoning bylaw to give certainty for investment
- More types of zoning available
 - e.g. Single-Family R1 could be R1, R2, R3, R4, R5, etc, touching on various styles, layouts, sizes, etc
 - The more options the easier for the developer
 - Fewer variance required and easier/faster rezones

PUBLIC OPEN HOUSE (Ideas Cafe)

The Ideas Cafe was held on October 20, 2012. Comments from the public were received through sticky notes added to the presentation boards at the Open House, and through a questionnaire, which could be completed at the event, or submitted in the week following.

1. Presentation Boards:

Red text indicates where a comment was placed on another comment.

Shaping a Community

What uses or building forms could zoning encourage to strengthen the community's strong sense of character?

- mixed styles within a range that fits town heritage culture (good point)
- street cafes, artist studios, vitality downtown

What type of employment uses should be encouraged on commercial & industrial lands?

- encourage/target youth employment/mentoring opportunities tied to VIU and LSS vocational training

How should development be balanced with protecting view opportunities?

- promote maximum heights of 4-5 storeys (human scale) on flat spaces within downtown core, and limit development to a lower scale elsewhere
- current guidelines seem okay

How can development be accommodated in a manner that is sustainable and respectful of environmentally sensitive areas?

- with caution

New Housing Forms

What forms of housing such as fee-simple row houses, small lot housing, clustered housing, modular housing or floathomes should be considered in Ladysmith?

- small lots with limited vehicle accommodation will encourage fewer cars (eventually)
- 3 houses on 2 lots okay
- consider 30' lots for affordability for next generation (yes!)
- small lots are not needed in a town where so much land options
- how would you deal with drainage?
- regulations should not mean increased costs
- don't layer on a lot of added regulations and costs
- housing options like row house, e.g. Nanaimo

New housing can be accommodated in new neighbourhoods on vacant land, or in established neighbourhoods through replacing existing buildings. Are there areas where this type of infill or redevelopment can be accommodated in existing neighbourhoods?

- no responses

Housing Choice: Coach Houses

Comments on information board:

- yes – one-storey structure
- yes – above rear garage
- why not front garage?
- yes, yes, yes to coach housing (garage with living quarters above), but ensure lots or land is large enough for proper setbacks

- good idea, keep small; parking? can people buy it? should be similar to existing houses
- yes, control size and height; parking as with main house should be on the premises (no street parking used); design should match and enhance original house, i.e.. same exterior; should leave at least half of lot without buildings
- provide parking on the lot if you want a secondary suite or coach house

What are some important considerations for coach houses (e.g., unit size, height, privacy, useable open space, character)?

- supplementary housing should match or complement primary house design, e.g. Van Horne's house on 4th Ave
- need a full size lot to ensure lot area for parking, drainage, RVs/trailers
- preserving green space by having more density in town, infill
- concern, if primary access would be via back lanes (this raises not only safety questions, but that of municipal maintenance and snow removal)
- parking and blocking the lane can be a concern need to be about more than the coach house

Are there certain areas where coach houses should/should not be located?

- put coach house and small urban cabins (sometimes called backyard cabins) between the road and the house to take advantage of existing services and preserve backyards for food production

How should parking be accommodated on a lot where a coach house is located?

- permeable parking surfaces, pavers, grassy spaces
- underground parking
- doesn't "coach house" mean garage below residence?

Home Base Business & Live/Work Studios

What types of uses or activities do you think are appropriate for a home based business?

- those that fit the town culture, promoting healthy (broad definition a la WHO 1986) individuals, e.g. arts and culture activities/programs in a healthy community
- alternate/allopathic/complementary health services
- professional offices
- businesses that do not have a large number of clients who physically visit the premises

How many employees, beyond the resident owner, are appropriate in a home based business?

- depends on location and number and type of clientele
- depends on square footage of office space, up to 3 max.

What other types of limitations or regulations would you like to see regarding home based businesses in the town?

- register and pay fair taxes
- the Town has a list of all licensed businesses, not all of small businesses are members of the Chamber of Commerce, the Town should, on its website, list all businesses in town in order of type of business
- traditional zoning, not have dust, noise, odour go outside – perhaps more performance standard instead of blanket prohibition, concern is impact not number of employees, visitors or means of production

Where would live/work studios be most appropriate in Ladysmith? In the Downtown? In certain neighbourhoods?

- in the downtown and a peripheral zone around downtown, other areas with consultation

Rethinking Parking

Comments on information board:

- Question: is there a lack of parking or no turnover in parking? often hear “not enough parking” when employee cars park in front of stores all day – not to be confrontation, just need proof before spending
- what about an RV park?
- RV parking (with wayfinding) to attract people passing by to stop e.g. between Rail and transfer beach

Should the Town consider lowering its parking requirements if it made it easier for businesses to operate in the historic Downtown? What about in other areas?

- yes to reducing parking requirements
- build batch/shared parking outside the downtown core
- ask businesses to encourage employees to ride share – even if different businesses; Town could help by offering a special run of the trolley that gets to downtown before 9 a.m. and after 5 p.m.
- close off First Avenue (from Roberts St. to post office) to most traffic, leave one lane (one way) for emergency, trade and parade traffic, the street should then be pedestrianized to allow for street cafes, plants, etc. this would promote outside catering, etc, current traffic is short term parking (bank, videos, etc)
- closing off Roberts to Buller and focus turning into a historic downtown, bringing one-ways in to direct traffic past the alleys where more retail spaces open on to, placing convenience shopping close to existing lots (parking)

To what extent should the Town rethink its parking requirements, if it could require other kinds of parking instead, such as bike parking, spaces for scooters, etc.?

- build more bike storage capacity: short term bike racks, mid term lockers for daily rent, long term indoor storage for multi-unit residences
- take all parking off 1st Ave between Buller and Roberts (batch parking on 2nd and between 1st and TCH)
- four-wheel scooter parking on street, currently park on sidewalk

What kinds of encouragement or limitations should there be on allowing business owners to share parking spaces to meet their requirements?

- should be encouraged, particularly if the hours the businesses require parking are different

Other Economy Points

What types of business & jobs should Ladysmith be trying to attract in the historic Downtown?

- permanent, year-round public market (a la Granville Island)
- a hostel
- ones that do not compete with existing businesses
- clothing stores, music/restaurant entertainment for young professionals
- a hotel
- if there were market interest, convert houses to professional offices

What types of industrial activities or operations could Zoning permit in Ladysmith's industrial areas?

- types that “fit” in a sustainable plan and within the culture of the town
- much needed campground

How should commercial and industrial uses be regulated by the Town to best support Ladysmith's sustainability commitments?

- targeted recruitment of businesses that fit the town's culture (i.e., not tattoo parlours)

What kinds of marine-related activities should the Zoning Bylaw encourage?

- an interface between the public marina, the expo building, the train station and the downtown (trolley? trails?)
- collaboration and partnerships between/among CVRD, ToL, local service agencies, non-profits, etc. for multi-sectoral development at waterfront
- tourism – a pub on the waterfront!!!
- marine-based repairs; sale of marine type products

Energy & Emissions

What kinds of technologies or development approaches should the updated Zoning Bylaw encourage to help achieve more energy efficient buildings?

- provide grants, advertise other government grants in the letter to citizen
- allow natural gas furnaces; yes to solar power panels; no to wind power as very noisy
- yes to windmills
- yes to windmills
- no windmills in neighbourhoods

Noting the importance placed on views with the Town, how could solar and wind energy devices be best accommodated or located in the community?

- windmills? sure! is there enough wind in Ladysmith though?
- solar-ready buildings only (no flimsy roofs)
- subsidize solar retrofitting

How should zoning regulations help minimize the need to commute out of the community, promote alternative transportation, and reduce green house gas emissions?

- get rid of the trolleys; use more than 2 vans (4 ideal) keep the trolleys if you want and add 2 vans

Local Food

How could local food production be better integrated into the community? Within the Downtown? Within Ladysmith's neighbourhoods?

- facilitate garden partnerships between homeowners with potential garden areas, but no time and citizens (apartment dwellers) with time and not garden area
- subsidize water use for food production by taxing grass watering
- restrictions on non-indigenous plantings in favour of xeriscape and food
- yes to backyard chickens if proper rules and regs apply
- chickens! sorry hens (Yes!)

In addition to local stores, how else could locally-grown food be shared with the Town? Through community markets? As home-based businesses? Both? Or other opportunities?

- yes, community markets
- yes, home based businesses
- public market downtown (to engage people IN the business area), permanent, year-round (good idea, just make sure the block uses alternates so businesses lose business only every 5-6 weeks)
- can be off road to permit business access
- there are fruit trees in the town that are not harvested, connect with owners and arrange for regular picking, could be given to churches and food bank

Multi-purpose Landscapes

How should landscaping requirements support greater stormwater management? Through increased requirements for permeability, increased portions of a lot that are required to be planted, or other directions?

- yes, more required planting
- yes to permeability
- swales, creeks left open
- offer grants and support for options

What levels of landscaping should be required for parking lots, large or small, to reduce the heat island effect (i.e. require a certain number of trees per parking spaces)?

- yes to requiring certain number of trees per parking space
- trees should offer a large covered area
- sure, it also helps pet owners to shop knowing their cars are not in the sun

How should landscaping be required to screen or separate different uses (i.e. commercial from residential)?

- shouldn't be required (size issue)
- it depends – tall trees might impede views but low shrubs, hedges, bamboo, etc. would be aesthetically pleasing

What Else?

- this session should be repeated and held downtown where more people can see and comment, also perhaps on an evening during the week
- what I like about Ladysmith, and hope is kept, is Council's slow deliberating process considering applications, too many Council's rush to approve development applications w.o considering ramifications on existing community or how a proposal may affect future good things, i.e. a low quality development approved in tough times will chase away potential high quality development

2. Questionnaire

Responses listed for each question posed on the questionnaire. Responses were not mandatory, therefore some people did not answer every question. Six questionnaires were completed in total.

Shaping a Community: Complete Community Land Use

1. What uses or building forms could zoning encourage to strengthen the community's strong sense of character?
 - Keep the larger 60 x 120 lots with huge boulevards! If you want more density, enable coach homes.
 - We need 3-4 star accommodations, a live music venue supporting local seafood, artists, and community. Arts, music, community.
 - Heritage style buildings for "Old Town"
 - Encourage a heritage theme to the design of buildings in the old part of town.
2. What type of employment uses should be encouraged on commercial and industrial lands?
 - Types that promote employment (i.e. not just a 2 person home business that provides not other employment).
 - Whatever can work within current market and world conditions. Not subsidized. To use our logs instead of exporting. Japan buys our logs and sinks them for future use. Real value of our logs.
 - Marine-related adjacent to the sawmills and Ladysmith Marina

3. What forms of housing such as fee-simple row houses, small lot housing, clustered housing, modular housing or floathomes should be considered in Ladysmith?
 - No small lot housing and no clustered housing - take away from the character you want to build here.
 - Coach homes, single families on 30ft. lots
 - "Can a coach house be sold separately?" Talk about affordable.
 - Small lot housing, for those living in the harbour presently, charge sewer and water fee
 - Possibly float homes between Fisherman's Wharf and Ladysmith Marina
4. What are some important considerations for coach houses (e.g., unit size, height, privacy, useable open space, character)?
 - Size: No larger than 2 car parking, e.g. 720 sq. ft. loft above cars
 - Height: Same as for the houses but only 2 levels including the car parking
 - Privacy: as with any house build
 - Useable space: Should leave at least 50% of lot without buildings
 - Character: Should be built to conform to and enhance the original house
 - Size, distance and placement on property to neighbouring property
 - Small, similar to existing. What does Vancouver do? Max? 400 sq. ft. per floor? Great idea. It is a shame what \$900/month rents in Ladysmith.
 - First assess need - secondary suite in primary residences are most likely to provide affordable housing. Detached coach housing likely to be more expensive - therefore encourage more secondary suites first.
 - If you stand in the parking lot at the Community Centre and looks across 6th Avenue to the alleyway that leads to 5th Avenue, on the left, there is a large example of some form of coach home that in my opinion is too big (bigger than the original house on the lot) and affects the neighbours. I would say coach houses must be smaller and try for heritage design.
5. Are there certain areas where coach houses should/ should not be located?
 - If there is already 50% build on lot
 - If it does not meet requirement - on lane is a must
 - Not on Main Street - taking extra street parking
 - No - coach houses should be relative to lot space. All able but must be limited to covering percentage of property
 - Exclusive areas where rich people are?
 - Homes that already have secondary suites
 - Smaller lots and small lot subdivisions
 - Coach homes more than one storey, which impact neighbour's privacy and/or views
 - I would say the lot size would dictate whether a coach house would be accommodated
6. How should parking be accommodated on a lot where a coach house is located?
 - Yes! a coach house should be no different than a suite within the lot. New suite should also have to provide on lot parking. Again, if the lot is not big enough or has lane access, there should not be a suite of any kind.
 - Good question. At least one for coach house
 - Must be parking available for all residents of a parcel on the parcel - not the street
 - Park on the street

Diverse Local Economy

1. What kinds of technologies or development approaches should the updated Zoning Bylaw encourage to help achieve more energy efficient buildings?
 - Home based business must provide enough space for clients to park.
 - Employees - as long as the space permits
 - Owner + 4 employees? There is lots of commercial space for if they have more
 - Consideration of one's neighbours very important. Noise level another important thing. Tasteful, small signage
2. How could local food production be better integrated into the community? Within the Downtown? Within Ladysmith's neighbourhoods?
 - Closer to the Town centre
 - Downtown above shops - nice ones, not current state
 - The market will decide
 - Yes - certainly in downtown
 - Between the railway line and waterfront and the industrial zoned area to Slag Point.
3. In addition to local stores, how else could locally-grown food be shared with the Town? Through community markets? As home-based businesses? Both? Or other opportunities?
 - Perhaps the Downtown main streets should be walk/pedestrian only (with handicap parking only permitted)
 - Shut off Downtown to force use of outlying parking lots.
 - No.
 - Why would lowering parking requirements make it easier for businesses to operate?
 - Yes and have more bike racks
4. How should landscaping requirements support greater stormwater management, or reduction of the heat island effect (e.g., through increased requirements for permeability, increased portions of a lot that are required to be planted, etc.), or other directions?
 - More storage on water and land for boats. Getting RVs out of front yards would be nice.
 - Boat building adjacent to the Fisherman's dock. Boardwalk from Fisherman's dock around to Slag Point. Crofton has a fine example

A Sustainable Community

1. What kinds of technologies or development approaches should the updated Zoning Bylaw encourage to help achieve more energy efficient buildings?
 - Go green - offer incentives for remodeling the old builds to keep character
 - Roughing in conduits for future solar panels (like Van does) is a good idea. Expensive, mandatory technologies should be an option. Proven cost vs. payback will help encourage buyers instead of just saying "green".
2. How could local food production be better integrated into the community? Within the Downtown? Within Ladysmith's neighbourhoods?
 - Don't allow lots smaller than 6,000 sq. ft.
 - Encourage back yard gardens and goods/fruit sharing - I see sooo many fruit trees going unpicked - communal board for fruit sharing.
 - Roof top gardens?
 - As much as possible.
3. In addition to local stores, how else could locally-grown food be shared with the town? Through community markets? As home based businesses? Both? Other opportunities?
 - A fruit/vegetable market downtown

- Whatever can work the best. It will be easy to flood the market at the same time. Tough job.
 - Both
4. How should landscaping requirements support greater stormwater management, or the reduction of the head island effect (e.g., through increased requirements for permeability, increased portions of a lot required to be planted, etc.), or other directions?
- 50% of property be permeable - gravel, grass, garden, etc.
 - Landscaping boulevards should be encouraged
 - Much more planting - green spaces promote vitality and draw people.
 - Rain water leaders on new construction should be an option instead of mandatory.
5. What else? Any other comments or ideas about the Zoning Bylaw?
- We need more personal buying options!
 - Clothing for the family (Field's is gone), shoes
 - This would not take away from what is here - it is not here now!
 - Retail outlets would provide paying jobs for people living here
 - So many homes for sale because of no jobs. Minimum wage jobs would be okay, as the cost of living here is lower, i.e. homes for \$200,000, walk to work
 - Rezoning the entire downtown to allow for more generalized businesses
 - Rail - bring it back again (demand it back)! Schedule so it works, e.g. work schedule, day trip
 - Trolley: When is there going to be a schedule? Input?
 - Whatever zoning bylaw are implemented, ensure there are adequate resources to enforce them. To not do so encourages disrespect for all bylaws and a sense of unfairness among citizens. Also, have clear and compelling criteria for permitting variances and granting rezoning applications. Whenever these are granted they have the effect of undermining all zoning bylaws. They are called zoning bylaws, not by-options. It is Council's responsibility to not just create laws, but also to uphold them.
 - 828 Esplanade: change zoning from C4 to more business or rental above business type. No current permitted uses on the block. Tourist commercial may not be a suitable zone for this area.

Are you: A resident of Ladysmith? 5

A business owner in Ladysmith? 4

Appendix 6

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Attachment B

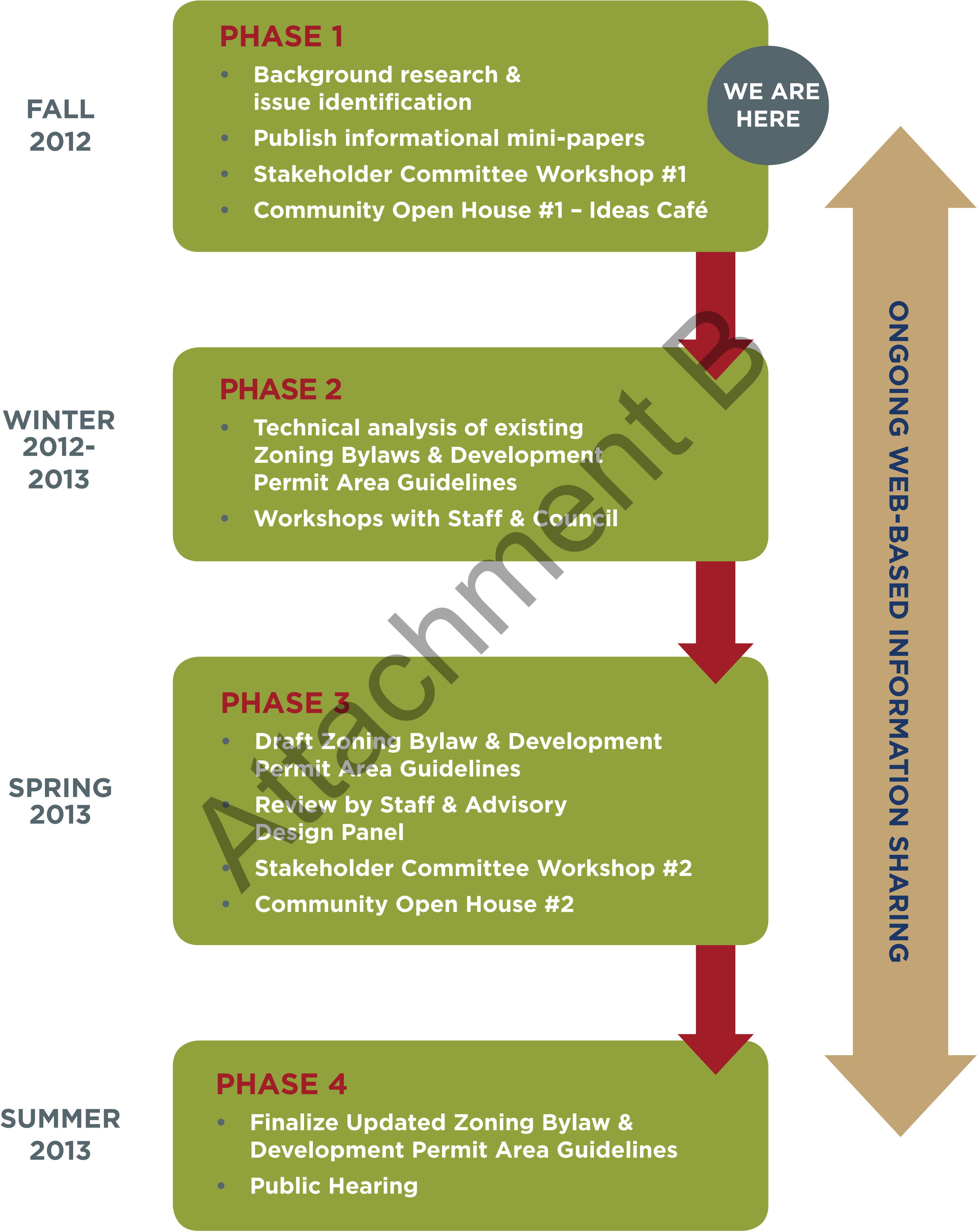


Welcome Ideas Café TODAY





What's the Plan?





Why Update the Zoning Bylaw?

The last comprehensive update of the Ladysmith Zoning Bylaw took place in 1997.

The key objectives for this Zoning Bylaw Update process include ensuring the Bylaw:

- Is consistent and supportive of the language included in the Town’s Official Community Plan, Community Vision, Sustainability Strategy and Community Energy Plan;
- Emphasizes sustainable development approaches;
- Integrates innovative ideas, regulatory approaches and guidelines that many smaller communities may not have the resources to otherwise consider;
- Supports growth and diversification in economic sectors within the Town.

While the Zoning Bylaw is a technical tool used by the Town to regulate land use in Ladysmith, it is also a resource for property owners, local businesses, and residents for how property can be used and developed.





How Does a Zoning Bylaw Shape a Community?

- By defining what activities can take place in a community, promoting a diversity of commercial, residential, institutional or industrial uses;
- By providing a variety of housing forms to accommodate all stages of living and levels of income;
- By establishing densities, it can determine a community's land use and infrastructure efficiency;
- By encouraging character enhancing building forms and development patterns;
- By preserving important environmentally sensitive natural park areas that are valued by the community;
- By allowing for innovative design solutions.

Let us know what you think about these questions.
Use the post-it notes provided, or just write directly on the board.



Shaping a Community

Zoning shapes a community by regulating the types of uses and building forms allowed in different parts of the Town, protecting the natural environment and supporting economic development.

What uses or building forms could zoning encourage to strengthen the community’s strong sense of character?



What type of employment uses should be encouraged on commercial and industrial lands?



The hillside topography and natural surroundings of Ladysmith provide opportunities for scenic views, but also presents challenges for accommodating new development.

How should development be balanced with protecting view opportunities?



How can development be accommodated in a manner that is sustainable and respectful of environmentally sensitive areas?





New Housing Forms

As Ladysmith continues to grow, a variety of housing forms to accommodate all stages of living and income levels will be needed. The Zoning Bylaw regulates the types of housing forms, the density and the location of housing in Ladysmith.

What forms of housing such as fee-simple row houses, small lot housing, clustered housing, modular housing or floathomes should be considered in Ladysmith?



New housing can be accommodated in new neighbourhoods on vacant land, or in established neighbourhoods through replacing existing buildings. Are there areas where this type of infill or redevelopment can be accommodated in existing neighbourhoods?





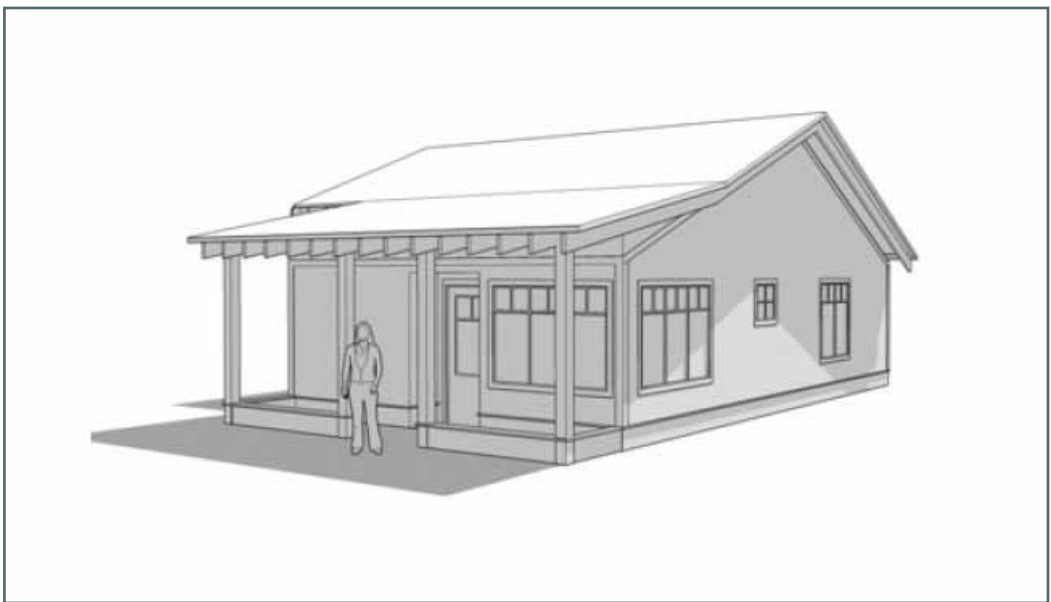
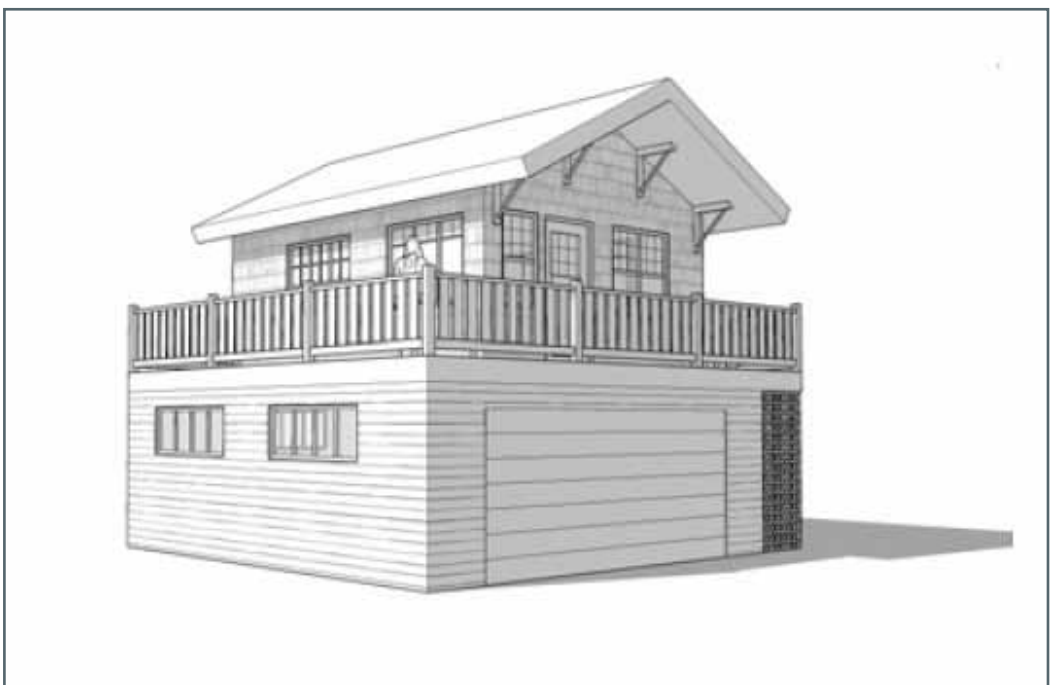
Housing Choice: Coach Housing

Secondary Suites provide an alternative form of rental housing that can improve housing choice and affordability and contribute to achieving sustainability goals. In 2011, Ladysmith conducted a community-wide consultation process and passed a bylaw to allow secondary suites within single detached houses.

The community also discussed detached secondary suites in the form of stand-alone “coach houses”, which could be a one-storey structure, or a suite above a rear garage.

Zoning Bylaws can control the height, size, location and parking requirements for coach houses. In addition, design guidelines can be adopted to establish standards for the exterior design of this type of housing.

The next step in the discussion is to define regulations, form, and character interests.





Housing Choice: Coach Housing

What are some important considerations for coach houses (e.g., unit size, height, privacy, useable open space, character)?



Are there certain areas where coach houses should/should not be located?



How should parking be accommodated on a lot where a coach house is located?





How Does a Zoning Bylaw Contribute to a Strong Economy?

By allowing for a wide range of employment-generating land uses that translate into:

- A stable tax base;
- A variety of job opportunities; and
- Economic growth.

Creating local jobs benefits Ladysmith residents by offering more work and shopping choices right at home. It also means there needs to be combination of available land and supportive zoning to accommodate these employment generating uses.

Attachment B

Let us know what you think about these questions.
Use the post-it notes provided, or just write directly on the board.





Home Based Businesses & Live/Work Studios

Home based occupations can be valuable to a local economy, because they help accommodate many small-scaled business opportunities in the town.

Working from home also reduces the community’s green house gas emissions related to commuting.

Some home based businesses in Ladysmith include: hair salons, massage therapy, travel agents, contractors, painters, physiotherapy, child care, dog grooming, piano lessons, web design, and professional services and consultants.

A **Live/Work Studio** also allows resident artisans, professionals, and business owners to combine their commercial and living spaces. Unlike home based businesses, which occur in a residential dwelling, live/work studios are often classified as commercial units by the BC Assessment Authority.





Home Based Businesses & Live/Work Studios

It is important that the size and scale of such businesses not begin to detract from existing employment centres, or affect neighbourhood character.

What types of uses or activities do you think are appropriate for a home based business?



How many employees, beyond the resident owner, are appropriate in a home based business?



What other types of limitations or regulations would you like to see regarding home based businesses in the town?



Where would live/work studios be most appropriate in Ladysmith? In the Downtown? In certain neighbourhoods?





Rethinking Parking

The provision of parking spaces associated with employment-generating uses is a requirement of Zoning Bylaws. The amount of parking required to be provided on the same lot as the business can vary depending on the use and location.

For many towns with historic downtowns, new and old business owners may find it difficult to accommodate all of their parking requirements on their lots, because older buildings and the lot sizes are often smaller, and were designed prior to the popularity of the automobile.

As for on-street parking in Ladysmith’s Downtown, from previous studies completed by the Town, it was observed that parking can be in high demand along First Avenue between Roberts and Buller Streets. It was found that available parking spaces exist, but drivers might need to circulate before their preferred spaces become available, or walk a block back to their destinations.





Rethinking Parking

With a focus on encouraging people to walk or cycle, as well as offering greater flexibility to business owners, Zoning Bylaws can offer alternative requirements.

Should the Town consider lowering its parking requirements if it made it easier for businesses to operate in the historic Downtown? What about in other areas?



To what extent should the Town rethink its parking requirements, if it could require other kinds of parking instead, such as bike parking, spaces for scooters, etc.?



What kinds of encouragement or limitations should there be on allowing business owners to share parking spaces to meet their requirements?



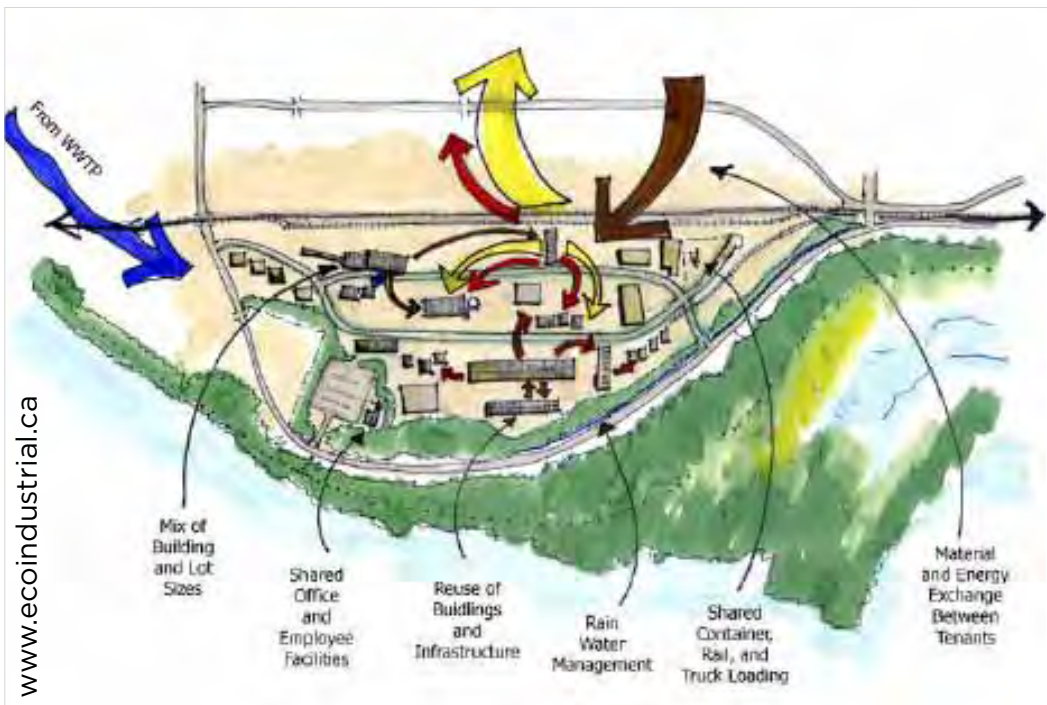


Other Local Economy Zoning Points to Discuss

What types of business & jobs should Ladysmith be trying to attract in the historic Downtown?



What types of industrial activities or operations could Zoning permit in Ladysmith’s industrial areas?



How should commercial and industrial uses be regulated by the Town to best support Ladysmith’s sustainability commitments?



What kinds of marine-related activities should the Zoning Bylaw encourage?





How Can a Zoning Bylaw Contribute to a Sustainable Community?

- By creating compact and complete neighborhoods
- By contributing to land use patterns that encourage low impact transportation options, such as walking and cycling
- By encouraging green buildings that are energy-efficient and healthier places to live and work
- By providing multi-use landscapes that protect ecological heritage, encourage urban agriculture, and provide recreation opportunities
- By permitting the development of innovative approaches to energy, water, stormwater, and waste infrastructure systems
- By promoting a reconnection with local food systems
- By accommodating the arts, culture and health needs of the community, while preserving the Town's rich heritage
- By promoting jobs and employment-generating uses that help build a local, diverse economy

Let us know what you think about these questions.
Use the post-it notes provided, or just write directly on the board.



Energy & Emissions

Through regulating uses or activities and development density, zoning can directly influence the amount of energy used and the emissions created by the community.

Given that many of Ladysmith’s homes, offices, and other buildings are at least 30 to 40 years old, with many being 50 years old or more, changes to zoning also present an opportunity to encourage more energy-efficient renovation, redevelopment and new construction to improve building performance.

What kinds of technologies or development approaches should the updated Zoning Bylaw encourage to help achieve more energy efficient buildings?

Noting the importance placed on views with the Town, how could solar and wind energy devices be best accommodated or located in the community?

How should zoning regulations help minimize the need to commute out of the community, promote alternative transportation, and reduce green house gas emissions?





Local Food

Through the introduction of smaller-scale agriculture uses, such as community gardens, farmers’ markets, and back-yard garden produce stands, zoning has been a valuable tool in reconnecting communities with locally-produced food.

How could local food production be better integrated into the community? Within the Downtown? Within Ladysmith’s neighbourhoods?

In addition to local stores, how else could locally-grown food be shared with the Town? Through community markets? As home-based businesses? Both? Or other opportunities?





Multi-purpose Landscapes

As much of our urban landscape is hard-surfaced, new regulations can require more permeable surfaces at the time of development towards allowing better infiltration of stormwater. Zoning can also require that a certain amount of a lot be landscaped in order to reduce the heat island effect.



How should landscaping requirements support greater stormwater management? Through increased requirements for permeability, increased portions of a lot that are required to be planted, or other directions?



What levels of landscaping should be required for parking lots, large or small, to reduce the heat island effect (i.e. require a certain number of trees per parking spaces)?



How should landscaping be required to screen or separate different uses (i.e. commercial from residential)?





What Else?

Any other ideas or comments about the Zoning Bylaw?

Attachment B

Attachment B



Suite 585, 1111 West Hastings Street, Vancouver BC V6E 2J3 | 604.687.2281
5th Floor, 844 Courtney Street, Victoria BC V8W 1C4 | 250.383.0304
Suite 300, 160 Quarry Park Boulevard SE, Calgary AB T2C 3G3 | 403.336.2468

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TOWN OF LADYSMITH ZONING BYLAW UPDATE

ZONING BYLAW UPDATE SUMMARY REPORT TOWN OF LADYSMITH

October 30, 2013

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LADYSMITH ZONING BYLAW UPDATE: SUMMARY DIRECTIONS

INTRODUCTION

“Ladysmith is a complete community that balances the need for economic growth with environmental protection, ensuring a diversity of housing, while maintaining and developing the necessary support facilities.”

Excerpt from Town of Ladysmith Vision Statement (OCP No. 1488, 2003)

With the Town of Ladysmith committed to becoming a more sustainable community, CitySpaces was engaged to update its current Zoning Bylaw towards the introduction of a new regulatory framework that facilitates the achievement of the community’s vision. Through Phase 3 of the update process, Town Staff and the CitySpaces team have been actively revising the Bylaw, based on insights gained from Town Staff, Council, stakeholders, and the Ladysmith community; with a focus on the original principles established for the project. These include:

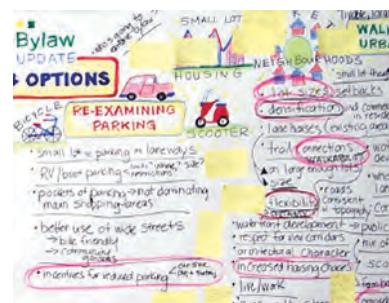
- Improving community clarity and understanding;
- Supporting the Town’s OCP, Vision and Sustainability Strategy;
- Facilitating economic development target sectors;
- Introducing affordable housing options;
- Respecting preferred character of development; and
- Integrating development permit area guidelines.

With the overall intent of bringing forward the key Zoning Bylaw updates for community discussion later in Phase 3, the purpose of this summary report is to raise for Council consideration the proposed significant regulatory shifts.



To assist in the review and discussion, a summary table of the key updates is presented below with more detail expanded upon later in the report.

PILLARS OF SUSTAINABILITY	PROPOSED NEW ZONING BYLAW DIRECTIONS
Complete Community Land Use	Introduction of Coach Houses
	Clarifying Accessory Buildings
	Clarifying Grade and Height Calculation
	Introduction of Highest Building Face Limits
	Encourage Small Lot Residential Developments
	Encourage Housing Choice
	Introduction of Waterfront Reserve Zone
Local, Diverse Economy	Clarifying Bed and Breakfast Regulations
	Clarify Home Based Business Regulations
	Introduction of a Flexible Live-Work Downtown Zone
	Reduction of OCP Commercial Floor Spaces (Requiring Future OCP Amendments)
	Restriction of Shipping Containers, Big Boxes and Drive-Throughs
Low Impact Transportation	Efficient Use of Required Parking Areas
	Reducing the Amount of Parking Required
	Increased Sustainability and Accessibility
Multi-Use Landscapes	Enhanced Landscape Requirements and Design Standards
Green Buildings	Introduction of Renewable Energy Systems
Local Food Systems	Introduction of Urban Agriculture and Produce Stand Uses



KEY UPDATES

COMPLETE COMMUNITY LAND USE

Discussion Topic:

With the restriction to two accessory buildings, along with the increase in accessory building floor space, will the draft regulations satisfy the needs of the community?

PAST VARIANCES

Variance #1	Floor Space: 72.5 m ² Height: 5.3 m Attic: 1.6 m
Variance #2	Floor Space: 58 m ² Attic: 1.8 m

Discussion Topic:

In consideration of the outlined coach house massing and siting directions, do the proposed regulations create an appropriate balance between accommodating greater housing choice and preservation of existing character?

i. CLARIFYING ACCESSORY BUILDINGS

In reviewing the existing Zoning Bylaw through the update process, it was noted that previous amendments were undertaken by the Town to address the size of its permitted accessory buildings. Noting that accessory buildings were once limited only by the allowable parcel coverage limits, in 2010 the Town introduced further restrictions; namely a maximum of 45 square metres of accessory building floor space, a height restriction of 5.0 m, and limit of 1.5 metres to the height of any accessory building attic space. Since these recent amendments, only 2 variances have been sought, both of which were approved (see side table for more information).

With this as a backdrop, and in recognition that the existing bylaw does not limit the number of accessory buildings permitted, the following additional regulations are proposed:

- It is proposed that a limit of 2 accessory buildings be introduced.
- In addition, it is proposed that the maximum floor space for each accessory building be increased to 60 square metres, resulting in a potential 120 square metres of accessory building floor space permitted per parcel.
- The increased floor area, from the previously established 45 square metre limit, was introduced to reflect the proposed addition of coach house regulations (see below).

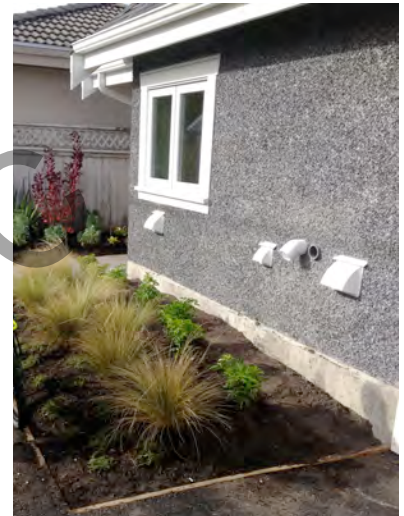
ii. INTRODUCTION OF COACH HOUSES

The issue of coach houses was one of the most discussed topics during our conversations with stakeholders and the public. While there was support for the introduction of such dwellings towards offering increased housing choices in the Town, there was also community concern about impacts to the surrounding residential character stemming from the resulting size of the coach house, height, off-street parking, and lot coverage. With that as a base, the below directions are proposed:

- Coach houses are proposed only for those lands zoned R-2/R-2-A given the presence of already existing lanes or on larger rural parcels (RU-1, A-1, A-RR).
- The overall size of a coach house dwelling unit is to be limited to 60 square metres.
- The coach house dwelling unit may exist as either a detached at-grade dwelling or as part of two-storey garage, in which case the dwelling unit would be limited to the second story (the 60 square metres of coach house dwelling unit floor space is exclusive of any floor space needed for the storage of vehicles within the first storey of the garage).



- The overall height of the coach house dwelling unit is 6.6 metres.
- The footprint of the coach house dwelling unit when located at-grade or the footprint of the garage when a coach house dwelling unit is located within the second storey, is not to exceed 15% of the total permitted parcel coverage.
- To encourage respectful siting of a coach house or a garage containing a coach house, a separation distance between it and the primary dwelling unit is proposed at 6.0 metres.
- To help foster greater privacy between properties adjacent to a parcel containing a coach house, it is proposed that a continuous arc of at least 6.0 metres be established, unobstructed by neighbouring buildings, from each transparent coach house window facing an interior side parcel line.
- A private space of 7.5 square metres is to be provided for the use by the coach house resident, clear of any surface parking area.
- Landscaping requirements have also been added along the rear parcel line, except for driveways, to help screen/buffer the coach house.
- For safety and visibility purposes, a clear path is to be provided from the front parcel line (assumably adjoining the fronting street) to the coach house. The address of the coach house is also to be clearly posted and seen from the street.
- Consistent with the parking requirements for a secondary suite, one off-street parking space is to be provided for the coach house.
- Coach house dwelling units are intended as rental housing or housing options for family members of the principal dwelling. They cannot exist as a real estate entity separate from the principal dwelling.
- The above mentioned allocation of the total accessory building floor space relates to the proposed coach house provisions, noting that when a coach house dwelling unit is located at-grade, its floor space will be “counted” as one of the permitted accessory buildings with its permitted 60 square metres; but when the coach house dwelling unit is located above a garage, only the floor space of the first-storey garage would be included in the permitted accessory building floor space.



iii. CLARIFYING GRADE AND HEIGHT CALCULATION

While the height of a building or structure is still measured to the highest point of the building or structure, further clarification has been added to the new Bylaw to better inform the basis for determining grade and height. Specifically it is proposed that:

- The starting point for measuring the height of a building now uses the lesser of the average natural (existing) and average finished grade, where it meets the building.
- In addition, it has been clarified that should a building or structure be proposed in a newly subdivided area, the determination of grade as the starting point for calculating height will be based on the grades established in the grading plan previously approved by the Town for that subdivision. (Note: this would require an amendment to the Subdivision and Development Servicing Bylaw.)

Discussion Topic:

Knowing the local development industry and market, how well do the proposed regulations explain the determination of grade and height, noting the many possible types of applicable development scenarios?



- The Bylaw also proposes new requirements for the determination of height for structures such as retaining walls and fences as well as for landscaping screens.

Discussion Topic:

In reflection of the aspiration to minimize the massing and “bulk” of residential dwellings, towards maintaining existing residential character, how beneficial will the proposed provisions be, given their inherent complexity, in limiting the size of building facades?

iv. INTRODUCTION OF HIGHEST BUILDING FACE LIMITS

The Town has undertaken Bylaw amendments in the past to help mitigate the massing of single unit dwellings; namely in 2006, the height of single unit dwellings was reduced from 10.0 m to a typical height of 9.0 m. Yet resident comments regarding the “bulk” of infill or newly constructed houses still remain. As a result, highest building face provisions have been proposed to further help break-up or constrain the massing of new single unit dwellings.

In other words, limiting the height of a building wall (not just the overall building), results in the introduction of more angled and articulated roof features as well as more variation introduced into the plane of the wall itself. The various highest building face provisions proposed include:

- A maximum building face height limit of 7 metres has been added. This is determined through the extension of 7 metre vertical lines from finished grade along the highest building face. At the 7 metre limit the vertical lines are to be angled inwards at a 45 degree angle, forming an envelope in which the highest building face must be contained.
- There are exemptions proposed along the highest building face to encourage articulation and variation, such that up to 40% of the wall face can be higher than the 7 metre limit.
- Other building elements such as roof eaves, decks, decorative features, the pitched roof portion of either gable ends or dormers, and any portion of the roof can also extend beyond the created envelope so long as the top of the wall is within the 7 metre limit.

v. ENCOURAGE SMALL LOT RESIDENTIAL DEVELOPMENTS

Efficient use of the Town’s residential land and existing infrastructure investments is a proven strategy for fostering a more sustainable community, especially where more intensive settlement patterns already exist in the surrounding urban structure.

Specifically, within the Old Town there exist a number of parcels along High Street which are considerably smaller on title than the 668 square metre parcels typically found in the area. As part of a revised R-2 Old Town Residential Zone, provisions have been added to allow residents the option to take advantage/maintain these existing opportunities.

This new direction adds to an overall focus during the review of providing a broader range of choices of parcel size in the Town and the facilitation of smaller more intensive lot sizes.

- The revised Bylaw introduces a sub-area to the R-2 zone that supports the retention of the pre-existing 277 square metre lot sizes for a designated area along High Street.

Discussion Topic:

How well do the small lot options, available in the revised R-2 Zone and other specific locations, respond to the interest of providing greater housing options in Ladysmith?

Should such smaller parcel opportunities be extended to other areas in the Town to accommodate additional land use efficiencies?



- Reductions to building height and side setbacks have been also added to the sub-area regulations in light of the smaller lot size. In addition, it is proposed to introduce Development Permit Area Guidelines to ensure the design is well articulated and supportive of neighbouring character.
- As well, the previous MP-1 Mobile Home Park Zone has been renamed R-1-B Single Dwelling Residential – Small Lot B in reflection of the small lot single unit dwellings that currently exist within those areas (Note: existing mobile home parks would be rezoned rezoned MHP-1 Mobile Home Park).
- With these changes, the new Zoning Bylaw now outlines a clear hierarchy of small lot options, specific to certain areas within the Town. This serves to provide residents more intensive alternatives to Ladysmith's typical 668 square metre single unit residential parcel size.

SMALL LOT ZONE	MINIMUM LOT SIZE
R-1-A Single Dwelling Residential – Small Lot A	460 square metres
R-1-B Single Dwelling Residential – Small Lot B	372 square metres
R-2 Old Town Residential – Intensive Sub Area	277 square metres



vi. ENCOURAGE HOUSING CHOICE

In addition to offer a variety of parcel size options, it is proposed through the updated Bylaw that an expanded array of housing choices also be made available. Specifically, aside from the single unit dwelling:

- New housing forms are now permitted including coach houses and live/work dwelling, complementing the already existing options of multi-unit, townhouse, secondary suite, and two-unit dwellings.
- Updating the definition of “Family” to “Household” clarifies that 5 or less non-related individuals may share a single unit dwelling, regardless of tenure form.

vii. INTRODUCTION OF WATERFRONT RESERVE ZONE

A reserve zone is proposed for the Town's waterfront, noting the future planning work that is anticipated in order to identify the community's preferred land use future for the area consistent with the 2008 Vision. As well, recent reports have identified remediation efforts are needed given the area's historically industrial past.

Given that, and until greater land use certainty can be provided in the future, a set of base regulations have been outlined for the area that allow those uses currently in place as well as a limited number of civic-oriented uses that can be established without new infrastructure.

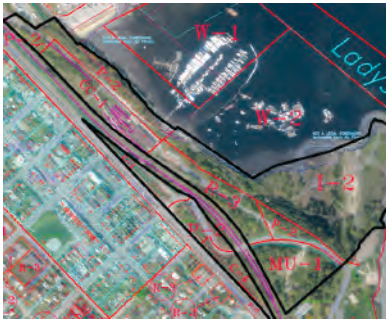
Discussion Topic:

How well does the widened array of dwelling types support the directions of the Community Vision towards the creation of increased housing choice?

Discussion Topics:

The proposed reserve zone encompasses mostly public land, however one parcel (Lot 5 which is zoned I-2) is owned privately. With that, does this approach accommodate both public and private land use interests, while sufficiently limiting future development until a clear Plan for the lands is created with the community? And in light of possible seaplane moorage, are there limits that should be considered?





- The purpose statement of the newly created zone outlines specifically the interim nature of the zone as a rationale for the limited range of permitted uses.
- The new reserve zone incorporates the former CC and MU-1 zones and lands zoned I-2, P-2, R-3, and C-4.
- Permitted uses include: outdoor assembly, natural parks, playfields, outdoor festivals and events, community gardens, farmers market (outdoor), cottage industries, cultural uses (i.e. museum, art gallery, etc.), office, artist studios, railway passenger depot, short term parking, etc.
- Enclosed buildings and structures will be limited to 10 square metres in floor area and an overall parcel coverage of 5%.

LOCAL, DIVERSE ECONOMY

Discussion Topics:

How well do the proposed regulations support the maintenance of small scaled bed and breakfast operations while concurrently serving to distinguish them from larger tourist accommodation uses?

Further, and in relation to the inclusion of coach houses, should a B&B be permitted to have a separate cottage on a 1,000m² parcel as per the current requirement for a secondary suite?

Should a B&B be permitted to serve more than breakfast? Does this apply to offering cooking lessons?

i. CLARIFYING BED AND BREAKFAST REGULATIONS

The current Bylaw distinguishes between a Bed and Breakfast operation which may operate in a single unit dwelling (and having a maximum of 3 sleeping units) and a Bed and Breakfast "Inn" which is more akin to a hotel/motel, allowing not less than 4 but not more than 20 sleeping units. In an effort to provide a broader distinction between the two types of Bed and Breakfast operations, and given the likely interest in pursuing a coach house as part of an operation, it is proposed that:

- Bed and breakfast operations that are within a single unit dwelling, and are small in scale appropriate for a surrounding residential neighbourhood, be limited to 4 sleeping units, an increase from the currently permitted 3 sleeping units allowing for inclusion of a coach house.
- Further, any accommodation use greater than 4 sleeping units will be considered a tourist accommodation use and be permitted through commercial zoning, noting that such larger operations essentially become a hotel/motel.
- Clarity has also been added that such sleeping units in a Bed and Breakfast do not contain cooking facilities (i.e. kitchenettes) and that the length of stay is limited to no more than 30 days.

ii. CLARIFYING HOME BASED BUSINESS REGULATIONS

From current business license information, there are currently over 150 home based businesses currently permitted in Ladysmith. Given their wide-spread presence in the community, it was felt through the review that the existing limits of one home based business use per dwelling unit and that no more than 2 persons (one of which must be the resident) can be employed in a home based business should remain.

However, new regulations have been added to ensure that such operations remain a vibrant part of the local economy without introducing unintended competition for other businesses located in commercially zoned areas.

- A widening of the number of permitted home based businesses, per parcel, is proposed such that a maximum of 2 home based businesses will be allowed either within the single unit dwelling, secondary suite, coach house or in an accessory building. However, only 1 home based business can be accommodated in a secondary suite, coach house or other accessory building.
- A limit of 40 square metres per home based business, not to exceed 40% of a principal dwelling or 50% of a coach house dwelling unit, has been proposed. One exception is the operation of a residential daycare, in which case no limit has been proposed.
- A further limit of 6 square metres (15% of the 40 square metres total floor space) is proposed for any retail sales, either of products made on site or product that may be incidental to services offered through the business.
- It is proposed that all parking related to the operation be contained on the parcel on which the home based business is located.
- Further, that deliveries to the home based business be limited to one per week.
- Other provisions have been added prohibiting the outdoor storage of goods and materials and in general limiting the impact of such operations on the surrounding residential character.

Discussion Topic:

How successfully do the proposed regulations balance the facilitation of home based business while maintaining the downtown as the core retail area for the Town, as well as the viability of the Town's other commercial areas?

iii. INTRODUCTION OF FLEXIBLE LIVE-WORK DOWNTOWN ZONE

The Downtown, as identified in policy and through the Zoning Map, is intended to be a vibrant, commercial precinct that contributes and preserves the Town's heritage aesthetic. Noting that, it was observed through the analysis undertaken in the previous Phase, that many residential properties exist within those boundaries, properties that emphasize the character and charm that residents value.

As a result, the updated Bylaw proposes a new zone, premised from the R-2 Old Town Residential Zone, that encourages the retention of single and two unit dwelling forms while offering the owners of such properties the flexibility to pursue commercial operations greater than a home based business.

- Retaining the same minimum parcel size, parcel coverage, height and setbacks limits as those of the adjacent R-2 zoned properties, the new zone is distinguished by its continued emphasis on the single unit dwelling building form, while concurrently allowing for a variety of commercial uses, including:
 - Artist Studio, Personal Service Establishment, Office, Personal Repair Service, or a Commercial School, all as part of a Live/Work Dwelling Unit.
 - Both large daycares (8+ children) and smaller residentially-based daycares.
 - Bed and Breakfast.
 - Community Care Facility.

Discussion Topic:

With a focus on detached, lower density forms of development (i.e. not apartments), how well does the proposed new zone accommodate both commercial and heritage preservation interests?





Discussion Topic:

Noting the vagueness of the OCP commercial floor space policy, is Council supportive of the proposed interpretation and draft regulations, towards the reduction of the maximum commercial floor space permitted?

- Cottage Industry (i.e. small-scale manufacturing of goods, materials or articles).
- Home Based Business.
- Urban Agriculture.
- Accessory Retail, limited to 45m².
- To further distinguish such operations from home based businesses, no maximum number of employees or cap on commercially-related floor space is proposed.
- Two unit dwellings would continued to be encouraged as a housing choice, but such housing forms would be restricted from concurrently accommodating the proposed commercial uses.

iv. REDUCTION OF OCP COMMERCIAL FLOOR SPACES

Currently, the Ladysmith's OCP provides policy direction on the maximum amount of commercial floor space that should be permitted in the realization of commercial development in the Town. However, in the drafting of the revised Zoning Bylaw, questions arose regarding the interpretation of the OCP policies; namely whether the identified floor space limits represent a per use or a per development threshold.

Given the scale described by the OCP, Town Staff and the CitySpaces team have opted to interpret the policy directions as commercial floor space maximum for a development as a whole. However, even with that interpretation and in light of the 2008 Community Vision which speaks to the desire for more boutique and intimate shopping experiences, it was felt that existing policy sets out overly large floor space limits.

As a result, the draft Bylaw proposed maximum commercial floor space limits, that if approved, would require the OCP to be amended concurrently. Specifically, the below table sets out the divergence between the draft regulations and the existing OCP policy direction:

OFFICIAL COMMUNITY PLAN DIRECTION		DRAFT ZONING BYLAW DIRECTION	
General Commercial	4,000 sq. m.	C-5 General Commercial (i.e. Coronation Mall)	2,000 sq. m.
Highway Commercial	2,000 sq. m.	C-3 Highway Commercial (i.e. the Petro Canada or Shell station with a convenience store)	500 sq. m
Local Commercial	500 sq. m	C-1 Local Commercial (i.e. Taylor's Grocery)	200 sq. m.

v. RESTRICTION OF SHIPPING CONTAINERS, BIG BOXES AND DRIVE-THROUGHS

The increased presence of intermodal shipping containers has become an issue for many communities across the province. While such storage options may be consistent with industrial operations, they are often viewed as inappropriate for residential or highly visible/publicly active commercial uses. With that, the following restrictions are proposed:

- The siting of shipping containers will be limited to the I-1 Light Industrial, I-2 Heavy Industrial, and W-3 Marine Industrial zones as well as emergency kiosks in the Institutional zones (one per Institutional parcel).
- The size of the containers is further restricted to no more than 13 metres long by 2.5 metres wide. As well, the containers are allowed to be stacked, but the total combined height of any stacked containers cannot exceed the principal building on the same parcel.
- Overall, the containers will be sited and regulated similar to other accessory buildings.

Further, through the update process, discussion about the maximum floor space for a single commercial operation raised notions about restricting “big box” retail operations in Ladysmith. Specifically:

- It is proposed that a definition of “Big Box” retail be added; namely as a single retail store with a gross floor area that exceed 2,090 square metres.
- Further, that such a use be then prohibited with the Town.

Similarly, and with an interest in minimizing emissions related to transportation and idling cars, a further prohibition is proposed for drive-through operations:

- Drive-throughs, or facilities intended for the provision of food, beverages or services, be added to the Town’s list of prohibited uses.

LOW IMPACT TRANSPORTATION

i. EFFICIENT USE OF REQUIRED PARKING AREAS

With a policy focus to reduce local reliance on private vehicles, many new provisions have been included to minimize the emphasis of the car while also ensuring that those areas required for off-street parking are utilized to the maximum extent possible. This has resulted in newly proposed means to calculate parking spaces at the time a use is changed and the introduction of provisions that allow for the shared use of required parking spaces.

- It is proposed that within the Downtown area no re-calculation of the number of required parking spaces will be needed during either a change of commercial use or for infill development (i.e. on parcels of 668 square metres or smaller) of a new commercial building. The intent of the proposed changes is to encourage new commercial businesses that might otherwise be challenging for an applicant to accommodate within the

Discussion Topics:

Do the proposed regulations appropriately reflect the interest in limiting shipping containers, while still facilitating their inherent storage and industrial/transportation purpose ?

How does the prohibition of Big-Box retail stores relate to the above discussion involving the establishment of total commercial floor space limits?

What is the level of Council support for prohibiting drive-throughs?

Discussion Topics:

Given the dynamic and potentially more complex nature (and related staff review time) that stems from the proposed regulations, is there support for maximizing the use of the Town’s off-street parking areas?



Discussion Topics:

As well, how does the relaxing of the calculation requirements used in determining the amount of required commercial parking spaces impact the pursuit of the Town's pay-in-lieu option?

Discussion Topic:

With a focus on minimizing the area required for off-street parking while concurrently adding incentives to explore parking alternatives, how well do the proposed regulations satisfy community interests and perceptions about parking, especially related to the Downtown?

Downtown's smaller lot sizes as the business might have a different (and potentially higher) parking requirement. (Note: such provisions do not apply to the residential portions of mixed-use development).

- As well, provisions have been added allowing for the sharing of parking requirements between two or more uses located on the same parcel or within the same building. Using a table inserted into the new Bylaw, which sets out various percentages of the parking requirements that are needed at peak periods throughout the day, applicants figure out for each proposed use the amount of parking that will be demanded or needed daily by the use. The various demands for each proposed use are then summed to determine a revised parking requirement for the site or development as a whole.
- In short, this shared approach proposes a more dynamic approach to calculating parking than applying static requirements that do not take into consideration the patterns of demand of other uses.

ii. REDUCING THE AMOUNT OF PARKING REQUIRED

Through the discussions with community stakeholders, it was raised that the historic settlement pattern and resulting lot sizes of the Downtown can pose challenges for development to accommodate parking on-site. In response, and in an effort to minimize the presence of the private vehicle both in the Downtown and throughout the Town, the following revisions are proposed:

- Minor changes were made to the existing parking requirements, a reflection of that in comparison with peer municipalities, Ladysmith already has an inherently less auto-focused set of requirements. That said, a few reductions are proposed, namely:
 - Hotels and motels were reduced from 1.5 spaces per sleeping unit to 1 space per sleeping unit;
 - Medical, dental offices was altered from a 1 space per 5 doctors requirement to 1 space per 30 square metres.
- The accommodation of small car parking spaces has been increased from 25% of the total number of required parking spaces to 30%. As well, further provisions have been added specific to the Downtown that allow in that area up to 75% of the total parking spaces required to be designated as small car spaces (and designed accordingly).
- With the intent of offering applicants an opportunity to reduce their total commercial parking requirements, regulations have been proposed that encourage the provision of motorcycle and scooter (either motorized/ electric 2-wheeled or electric 4-wheeled scooters) parking spaces. Specifically, such spaces count as 0.5 spaces towards the total number of required commercial parking spaces, so long as the motorcycle and scooter spaces do not exceed 5% of the total.
- Further, and in reflection of the Town's existing pay-in-lieu option (to provide \$4,000 in lieu of providing a space on site - which remains unchanged), it is proposed specifically for commercial infill development in the Downtown area (on parcels of 668 square metres or smaller) that each space provided through pay-in-lieu shall count as the provision of 1.5 required off-street parking spaces.

iii. INCREASED SUSTAINABILITY AND ACCESSIBILITY

Stemming from the policy direction that encourages the creation of an innovative and low-impact transportation/parking network, the updated regulations focus on providing environmentally friendly and more accessible parking solutions.

- The number of spaces allocated for persons with disabilities has been increased. Under the existing Bylaw, it is required that one space be provided where the number of parking spaces required ranges from 10 to 50 spaces, with one additional space required for every 50 more spaces provided.
- Through the new Bylaw it is proposed that one space be provided for every 10-20 parking spaces required, an additional space be provided for the next 21-50 spaces provided and then an additional space for every 30 spaces provided thereafter.
- The existing incentive to provide bicycle parking, through the reduction of the total number of parking spaces required of a development, has been removed, noting the limited uptake. Instead, the provision of bicycle parking spaces is now an outright requirement, similar to the practice of requiring vehicle parking spaces.
- The updated Bylaw places greater emphasis on pedestrian safety within parking areas through the requirement that pedestrian areas be visibly and physically distinguished from vehicle areas within off-street parking areas through the use of raised sidewalks, special pavers, bricks, or scored/stamped coloured concrete.
- As well, parking regulations have been added that require the provision of electric vehicle charging stations for at least 5% of all off-street parking spaces (excluding visitor spaces) for multi-unit residential developments of 15 spaces or more.
- Within commercial, multi-unit residential and institutional parking areas, the revised Bylaw allows for surface treatments that provide greater infiltration through the encouragement of permeable or porous pavements, such as open-jointed pavers, turf or gravel grids, porous asphalt or concrete, interlocking paving stones, or other similar permeable treatments.

Discussion Topics:

In reflection of the parking realities facing all municipalities, how will the proposed regulations improve the sustainability and accessibility of the Town's off-street parking areas?

And in light of the proposed shift to require bicycle parking much as we currently do with vehicle parking, what is Council's view of the move away from the previous incentive-based approach?

MULTI-USE LANDSCAPES

i. ENHANCED LANDSCAPE REQUIREMENTS AND DESIGN STANDARDS

Currently, the Town is reliant upon the directions set out in its Development Permit Areas for landscape design, and the general softening (i.e. mitigating possible adjacent impacts, preserving privacy, etc.) of local development. The proposed regulations of the updated Bylaw are intended to provide a standard set of landscape requirements, effectively establishing the Town expectations for landscape performance. Based on best practice and with the intent of introducing more sustainable and multi-functional landscapes, the below requirements are proposed:

Discussion Topic:

In reflection of the current development community, do the new landscape requirements and design standards achieve a workable balance between enhancing the public realm and being mindful of local development cost sensitivities?





- New landscape screening and buffering provisions have been added with a focus on the instances where more intensive uses (such as multi-unit residential, commercial, industrial), abut a less intensive residential use.
- The proposed regulations require more robust landscape design standards for developments and off-street parking areas, focusing on the provision of:
 - Native and/or water conserving plant species.
 - Deciduous trees with a minimum 6-8 cm caliper size.
 - Evergreen trees of a minimum 3 m height.
 - Shrubs with minimum #1-#2 pot sizes.
 - Groundcover with minimum 10 cm pot sizes.
 - Minimum spacing requirements for trees, shrubs & groundcover.
 - Minimum area limits placed on the use of groundcover only.
 - Minimum depth of growing medium.
- New requirements have been established for within off-street parking areas greater than 4 parking spaces, towards enhanced landscape design and to further stem the creation of urban heat islands in the Town. The new regulations seek the shading of a minimum of 25% of the parking area through the provision of shade trees and landscape islands or strips.
- Noting the hillside topography of the Town, retaining wall restrictions have been added, setting out a maximum height of 1.2 metres and a minimum separation of walls of 1.2 metres.

GREEN BUILDINGS

Discussion Topic:

The permitting of various renewable energy systems offers opportunities to create a higher performing building stock and reduce building-related GHG emissions. That said, what are the possible implications of such structures to the concurrent maintenance of the Town's character and existing views?

i. INTRODUCTION OF RENEWABLE ENERGY SYSTEMS

As identified in the Community Vision, the following additions to the draft Zoning Bylaw are intended to support the Town's commitment to encourage and promote the development of green buildings, as part of its strategy to reduce building related greenhouse gas emission as well as minimize overall impacts to the surrounding environment.

- Regulations for renewable energy devices and systems have been added, including siting, height, size and zone restrictions, for solar, geothermal/heat pump, and wind technologies.
- Specifically, solar collection devices are to be located only on the roof of residential buildings and structures, but can exist as stand alone structures in industrial zones.
- Geothermal systems, including the underground elements, are required to be setback 3 metres from any parcel line.
- Heat pumps, due to their associated noise levels, are to be sited only in the rear yard and must maintain a 3 metre distance from side parcel lines.

- Wind energy systems under 10 kw are limited in all zones to one per parcel, so long as the parcel is a minimum of 1,250 square metres in size, and shall not be higher than 10.5 metres.
- If however the system exceeds 10 kw, such systems can only be located on industrial, institutional, and commercial zoned parcels, so long as such parcels are a minimum of 560 square metres in size and do not abut a parcel in a residential zone. Further, such systems may reach a height of 21 metres.

LOCAL FOOD SYSTEMS

i. INTRODUCTION OF URBAN AGRICULTURE AND PRODUCE STAND USES

With a focus on expanding upon the efforts made by the Town to foster a locally focused and sustainable food network, the updated Zoning Bylaw seeks to permit the growing of food in locations not currently anticipated by existing regulations.

Further, new regulations provide opportunities to sell food grown locally, offering further economic benefits to the Town and local residents while also raising awareness of sustainable food production systems.

- Urban agriculture is introduced as a permitted use in the single unit and two unit residential zones as well as the institutional zones. Specific to its definition is the inherent retail sale of products from the urban agricultural use on the same parcel.
- Further, and for clarity, general agriculture use is only permitted on lands within the Agriculture Land Reserve which are located in South Ladysmith. Within the Agriculture Land Reserve, the sale of agricultural products is also permitted.
- Related, therefore, is the further introduction of a produce stand use which is limited to one per parcel where an urban agriculture or agriculture use is present, so long as at least 50% of the products for sale were produced through either the urban agriculture or agriculture use.
- As well, it is necessary to establish separate floor space limits for produce stands within the Agricultural Land Reserve, compared to those proposed for other locations in the town.
- Regulations for agricultural operations within the Agricultural Land Reserve permit produce stands up to 300 square metres in size.
- This scale is considered too large for the rest of the Town, especially as the more residentially-oriented produce stands are more envisioned as small driveway stands. Noting that, a separate maximum floor space of 10 square metres has been proposed for driveway produce stands not within the Agricultural Land Reserve.

Discussion Topic:

Noting the focus of the draft regulations to increase awareness of local food systems, what are the possible implications to an increased presence of local food retail activities in the Town, including within the residential neighbourhoods?



NEXT STEPS

Based on the ensuing discussion with Council on the above key regulatory shifts proposed through the draft and updated Zoning Bylaw, Town Staff and the CitySpaces team will continue to incorporate any revision required, prior to ultimately preparing draft consultation materials for the anticipated continued public dialogue.

The next series of community engagement events are expected to occur in the month of November, at such time, the draft Zoning Bylaw will be shared with stakeholders and community residents with the intent of gathering further public feedback.

With Phase 3 then complete, Town Staff and the CitySpaces team will work to finalize the new Zoning Bylaw for Phase 4; namely the Public Hearing process.

Attachment C



Ladysmith ■ ■ ■ ■ ■
Zoning Bylaw
■ ■ ■ ■ ■ UPDATE



Outline



- Review key outcomes from recent community review:
 - Coach House Location and Size
 - Big Box Restrictions
 - Drive-Through Restrictions
- Discussion and Feedback
- Next Steps



Stakeholder and Community Review



- On November 23, Stakeholders and Community residents reviewed Bylaw emerging directions.
- 23 residents signed-in to the Open House and presentation.
- 14 members of the Bylaw working group participated in a workshop discussion.
- 16 completed comment forms received to date.



Coach Houses



- What we Heard from Council:
 - Support for the balanced and phased approach:
 - Appreciated efforts to preserve community character while accommodating housing choice.
 - Interest expressed in exploring use of parcel size or corner parcels as key threshold:
 - As alternative means of identifying other areas of the Town where coach houses could be considered - aside from in and around the Downtown or parcels with lanes.



Coach Houses



- What we Heard from Council:
 - The proposed 60 sq. m. (646 sq. ft.) floor area limit was considered a good size.
 - Questioned whether 1 or 2 storeys was the preferred form.
 - Form and character design guidelines were identified as desirable.

Attachment D

Coach Houses



- What we Heard from the Stakeholder Working Group:
 - Interest in exploring a wider area for permitting coach houses, more than in and around the Downtown or where a lane exists.
 - Coach house footprint was considered a key size to regulate.
 - Questions raised surrounding height and if a coach house use could be accommodated over the 2 storeys.
 - The proposed “privacy arc” was considered too restrictive on neighbouring properties.

Coach Houses



- What we Heard from Community Residents:
 - General levels of support for proposed 60 sq. m. (646 sq. ft.) floor space limit.
 - Interest in a wider area for permitting coach houses:
 - Limited support for limiting to only lane access.
 - Establish minimum parcel size and allow Town-wide.
 - Consider that the coach house footprint be included in the calculation of parcel coverage.

Coach Houses



- Previous Community Survey in 2011 indicated that:
 - Community supported introduction of coach houses.
 - A coach house use spanning 2 storeys was not included in the 2011 survey.

Coach House Form	% Town-Wide Support
Ground level, similar to an accessory building	56%
Within a 2 storey accessory building, located above a garage	66%

Coach Houses



- Policy Considerations:
 - Official Community Plan policy and definition on coach houses adopted in 2011:
 - OCP POLICY: Secondary suites will be permitted within any single family dwelling, subject to the conditions and requirements or regulations adopted by Council. The Town will explore other forms of secondary housing, including **carriage house suites and ground-oriented cottage suites**.
 - OCP DEFINITION: Secondary Housing – a form of secondary suite that is contained within a detached unit (e.g. **above a garage or ground-oriented**) usually located at the rear of the lot with access from the street or lane and which is always accessory to and **smaller in size** than the principal single family dwelling located on the same lot.

Coach Houses



- Policy Considerations:
 - The Community Vision supports **densification** near and within the Downtown.
 - The Community Energy Plan supports **infill development** in the Downtown Core and surrounding areas.

Attachment D

Coach Houses



- Recommendations:
 - Implement in phases with coach houses first permitted in and around the Downtown in the R-2 & R-2-A zones:
 - With a minimum parcel size of 668 sq. m. (7,190 sq. ft.) **where a lane exists**; OR
 - With a minimum parcel size of 780 sq. m. (8,396 sq. ft.) **where a lane does not exist**.
 - Still permit in larger rural parcels (RU-1, A-1, A-RR).
 - The maximum floor space of coach house remain 60 sq. m. (646 sq. ft.) to support OCP policy.

Big Box Restrictions



- What we Heard:
 - Currently proposed 2,090 sq. m. (22,497 sq. ft.) may not allow for future expansion of existing grocery stores.
 - It was identified that Big Boxes are not appropriate for the Downtown.
 - Questions raised about possible loss of economic investment from Town-wide prohibition.



Big Box Restrictions



■ Policy Considerations:

- The Community Vision and Sustainability Action Plan support the creation of stable, diverse and local economic opportunities as well as “**buy local**”.
- The Community Vision Complete Community Land Use strategy supports:
 - future growth **focused in the Downtown** maintaining it as the central shopping area.
 - new compact, clustered, mixed-use village areas with increased densities that support public transit and **local businesses**.
 - new development patterns that reduce environmental pollution, encourage walking and cycling, support viable transit **with limited highway oriented development**.
- The Official Community Plan ensures Downtown remains a viable commercial district.

Big Box Restrictions



- Recommendations:
 - Maintain proposed Town-wide restriction on Big box retailers.
 - Retain the proposed definition as a single retail store with gross floor area exceeding 2,090 sq. m. (22,497 sq. ft.).
 - Exempt the existing grocery stores serving the Town to allow for expansion.

Attachment D

Drive-Through Restrictions



- What we Heard:
 - Support was expressed for prohibition:
 - In keeping with Town's emissions reduction strategies and interests in making Ladysmith more walkable.
 - Town-wide prohibition fits Town's character aspirations:
 - Clarifying land development decisions for certain formats of retail, fast-food and banking services.
 - It was expressed that while not appropriate in the Downtown, could be accommodated along the Highway.



Drive-Through Restrictions



■ Policy Considerations:

- The Sustainability Action Plan provides directions that encourage walking and that community spending **benefit local businesses**.
- The Community Vision Complete Community Land Use strategy supports:
 - future growth **focused in the Downtown** maintaining it as the central shopping area.
 - new compact, clustered, mixed-use village areas with increased densities that support public transit and **local businesses**.
 - new development patterns that reduce environmental pollution, encourage walking and cycling, support viable transit **with limited highway oriented development**.

Drive-Through Restrictions



■ Recommendations

- Maintain the proposed Town-wide prohibition on **new** drive-through operations (all types of uses).
- Provides consistency with existing prohibition on drive-through restaurants already in place.

Attachment D

Next Steps

- Based on Council and community's feedback, revise the draft Zoning Bylaw.
- Prepare updated Bylaw for community review early 2014



STAFF REPORT TO COUNCIL

From: Lisa Brinkman, Senior Planner
 Meeting Date: July 9, 2018
 File No: 3360-17-06
 RE: Coach House Consultation 2018

RECOMMENDATION:

That Council:

1. Receive the staff report dated July 9, 2018 summarizing the coach house consultation 2018 results.
2. Direct staff to amend the 'Fees and Charges' bylaw such that a reduced application fee of \$1000 is applied for coach house rezoning applications on an R-1 zoned lot.

PURPOSE:

The purpose of this staff report is to present the results of the 2018 coach house community consultation and to seek direction from Council regarding next steps.

PREVIOUS COUNCIL DIRECTION

Date and Motion #	Council Motion
August 21, 2017 <i>CS 2017-255</i>	That Council direct staff to: bring back a report outlining recommendations for possible amendments to the zoning bylaw to permit coach houses outside the downtown area.
December 4, 2017 <i>CS 2017-397</i>	That Council: .. Pursuant to s.475 of the Local Government Act, direct early and ongoing consultation for the consideration of extending Development Permit Area 10 "Coach House Intensive Residential" to new areas where a coach house is permitted. 1. Direct that the project to allow coach houses outside of the Downtown area focus on properties in the R-1 Zone, as well as form and character considerations. 2. Confirm that this project will be included in the 2018-2022 Financial Plan, if Council wishes to pursue this project.

INTRODUCTION/BACKGROUND:

As directed by Council, community consultation to consider allowing coach houses on properties zoned Single Dwelling Residential (R-1) took place in February and March 2018. The community consultation included an APC meeting, press release, surveys, social media promotion and a public open house (see Table 1).

The display panels presented at the March 1st public open house are attached as Schedule B to this

report. The display panels illustrate how a coach house could fit on three lot types in the R-1 zone, a mid-block rectangular lot, a corner lot and a cul-de-sac pie shaped lot. The display panels also illustrate neighbourhood relationship considerations if coach houses were to be located on R-1 lots, such as respect of privacy, sunlight exposure and views.

A summary of the survey results is shown in Table 2. A total of 63 surveys were completed (35 PlaceSpeak surveys and 28 paper surveys). However, only 36 surveys were from R-1 residents who would be directly impacted. In general there was support for allowing coach houses in R-1 zoned neighbourhoods. There was also support for allowing two storey coach houses and for maintaining similar setbacks as is currently permitted for coach houses in the downtown area. The results of the surveys from residents in R-1 zoned neighbourhoods is also shown in Table 2, and these results are similar to survey results from all residents. To view the comments received with the surveys see Schedule A attached to this report.

There are approximately 1100 parcels zoned R-1 in the Town of Ladysmith. The 2018 consultation received only 36 surveys from residents of R-1 properties which is too low of a response to know the general consensus of the R-1 residents.

When coach houses were initially being considered in 2011 and 2013 the following community input was received:

- The community in general and the stakeholder working group was interested in allowing coach houses in the downtown and in areas outside of the downtown.
- The community in general supported the maximum coach house size of 60m².
- The 2011 town wide telephone survey resulted in 56% of respondents supporting a one storey coach house and 66% of respondents supporting a two storey coach house above a garage.

At this stage in the process staff is seeking Council direction regarding next steps. Options to consider include:

Staff Recommended Option

1. Require a rezoning application and development permit application for a coach house; and direct staff to amend the 'Fees and Charges' bylaw such that a reduced application fee of \$1000 is applied for coach house rezoning applications. This option allows for neighbourhood input into each proposed coach house on an R-1 zoned lot. This approach can also allow for a trial period to assess one and two storey coach houses on R-1 lots in Ladysmith.

Other Options to Consider

2. Direct staff to prepare a report to Council with recommendations for conducting further community consultation (i.e. telephone survey). Council may wish to seek more input specifically from R-1 zone residents as they are directly impacted by the proposal to permit coach houses in the R-1 zone.
3. Direct staff to present to Council the required amending bylaws to allow one storey coach houses (garden suites) in the R-1 zone, utilizing similar development permit guidelines and zoning regulations as is currently applied to coach houses in the downtown area. This option ensures that potential impacts such as a neighbour's privacy, sunlight exposure and views are reduced.
4. Direct staff to present to Council the required amending bylaws to allow two-storey coach houses in the R-1 zone, utilizing similar development permit guidelines and zoning regulations as is currently applied to coach houses in the downtown area.

Table 1: 2018 Coach House Consultation Events

Date(s)	Community Consultation Event
February 8, 2018	Advisory Planning Commission (APC) meeting
February 21, 2018	Press Release
February 14 to March 9	Survey (PlaceSpeak and paper surveys) Social media promotion
March 1, 2018	Public open house

Table 2: 2018 Coach House Survey Results

	All Surveys (63 surveys – including R-1 resident surveys)		R-1 Resident Surveys (36 surveys – R-1 resident surveys only)	
	Does support	Does not support	Does support	Does not support
Coach houses in R-1 zoned neighbourhoods.	51 (81%)	12 (19%)	26 (72%)	10 (28%)
One storey coach house in R-1 zoned neighbourhoods.	51 (81%)	12 (19%)	26 (72%)	10 (28%)
Two storey coach houses in R-1 zoned neighbourhoods.	42 (82%)	9 (18%)	20 (77%)	6 (23%)
Maximum floor area of 60m ² for coach houses in R-1 zoned neighbourhoods.	26 (51%)	23 (45%) support coach houses greater than 60m ² in size. 2 (4%) support coach houses less than 60m ² in size.	15 (58%)	11 (42%) support coach houses greater than 60m ² in size.
Coach house setback from side property line of 1.5 metres.	38 (75%)	10 (20%) support a side setback of less than 1.5 metres. 3 (5%) support a side setback of greater than 1.5 metres.	24 (92%)	2 (8%) support a side setback of greater than 1.5 metres.
Coach house setback from rear property line of 1.5 metres.	35 (69%)	10 (20%) support a rear setback of less than 1.5 metres. 6 (12%) support a rear setback of greater than 1.5 metres.	22 (85%)	3 (12%) support a rear setback of greater than 1.5 metres. 1 (3%) supports a rear setback of less than 1.5 metres.

Note: Those that did not support coach houses in the R-1 zone were not required to complete the full survey.

ALTERNATIVES:

Council can choose any of the options presented in this report or provide additional direction to staff.

FINANCIAL IMPLICATIONS:

Additional consultation through a telephone survey and consultant services will have budget implications. The estimated cost for a telephone survey is \$10,000 to \$15,000; and the cost of consultant services would be based on the scope of the project. If Council wishes to do further consultation a budget item could be presented during financial plan deliberations.

LEGAL IMPLICATIONS:

none

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

At their February 8, 2018 meeting the Advisory Planning Commission passed the following motion:

“It was moved, seconded and carried that the Advisory Planning Commission (APC) recommends support for the review of allowing coach houses outside of the downtown area in the Single Dwelling Residential (R-1) zones, utilizing the existing coach house regulation framework and considering each local neighbourhood.”

The staff recommendation to require a rezoning application and development permit application for a coach proposed on an R-1 lot will allow for specific neighbourhood consideration of each coach house proposal.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Regarding the proposal to allow coach houses in R-1 zoned neighbourhoods the Town’s Fire Chief provided the following comments for consideration:

- A path is required from the road to the coach house to allow for emergency services access to the coach house.
- A fire hose can extend through the main house to reach a coach house at the rear of the property if needed.
- If there are vehicles parked on the street this limits the ability of a firefighter to reach the fire efficiently.
- Buildings built within close proximity can increase the chance of a fire spreading to nearby buildings.
- A firefighter has the ability to cross private property to reach a burning building.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings | <input type="checkbox"/> Multi-Use Landscapes |
| <input type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input type="checkbox"/> Healthy Community | <input type="checkbox"/> Local, Diverse Economy |
| <input type="checkbox"/> Not Applicable | |

ALIGNMENT WITH STRATEGIC PRIORITIES:

- ☒ Employment & Tax Diversity
- ☐ Watershed Protection & Water Management
- ☐ Communications & Engagement

- ☐ Natural & Built Infrastructure
- ☐ Partnerships
- ☐ Not Applicable

SUMMARY:

Presented in this staff report are the results of a community consultation to consider coach houses in R-1 zoned neighbourhoods. Staff is seeking Council direction regarding next steps.

Reviewed By:



Felicity Adams
Director of Development Services

July 4, 2018

I concur with the recommendation.

Guillermo Ferrero, City Manager

ATTACHMENTS:

Schedule A: Community Comments from Coach House Surveys
Schedule B: Public Open House Panels (March 1, 2018)

Schedule A: Community Comments from Coach House Surveys (2018)

R-1 zone resident comments that do not support coach houses in R-1 zoned neighbourhoods: (10 surveys)

- This neighbourhood already has suites which causes enough parking issues.
- This is a quiet single residential area. Traffic is busy enough. Taxes will go up, but that is nothing new. Not for this area!!!
- I don't disagree with coach houses BUT how about putting them just in the neighbourhoods where people are buying new houses only. My house purchase was made on the expectations of what the population density would look like. YOU CAN'T CHANGE THE RULES AFTER THE FACT. I have a very shallow property and a coach house at the back of the bigger property behind me would seriously impact on my back yard and privacy.
- I would only support ground level coach houses in areas where there are existing houses. I do not think it fair that a neighbour adds a second level to a garage which would possibly block sunshine in a neighbouring yard. The second storey also allows overview into a neighbouring yard. I do not believe that coach houses make affordable housing. The existing property / house value would increase with the addition of a coach house that then adds to the ever rising price of housing. I very highly doubt that the Town of Ladysmith has anyone on staff that checks to see what the rental rates are on existing coach houses and suites to ensure that these rents actually match the definition of affordable housing in the Town's bylaws
- This is an incremental expropriation of our property value. We moved to this neighbourhood as an R-1 (Single Dwelling Individual), and this change would make it effectively multiple dwelling. While the change may make properties more accessible to lower income people (as yet unproven), it will certainly make it less interesting to people looking for the medium to higher end of what this neighbourhood provides; it places doubt on any prospective buyers as to future standards for any asset under consideration. This is not similar to the DPA-10 area, transportation is by vehicle, there is no realistic walking access to shops, restaurants, convenience stores, it has no lanes or alleys, there are no schools etc. May affect personal privacy, and emergency vehicles already seem to have difficulty.
- While it is important to implement solutions for housing affordability, towns also need to attract and retain people that can create jobs, generate and spend money. Not every neighbourhood's zoning needs to change to accommodate specific affordability issues. Ladysmith does not have the same land scarcity issues such as Vancouver where the land value far exceeds the cost of and availability of new lots. Even if coach houses are allowed, the now-current building codes and standards would apply, making the unit cost similar to new construction. While the permitted density may not be increasing, adding coach houses to the R-1 can only increase the actual density.
- May obstruct view of existing residences and parking issues.
- We moved to this neighbourhood as an R-1 and this would change it to multiple dwelling. This affects our property value and makes it less appealing to prospective buyers looking for a higher end lifestyle neighbourhood. Unlike the downtown where coach houses are permitted, this neighbourhood requires a vehicle for transportation, there are no schools, no realistic walking access to grocery stores, restaurants, shops, banks etc.
- Affordable housing for lower income people is an important issue however I do not agree with a blanket rezoning of all neighbourhoods.
- To allow coach house development in established neighbourhoods is in effect zoning to double density. It can dramatically change neighbourhood dynamics and create ill feeling among neighbours. Should Town of Ladysmith wish greater density, it can be accomplished in what are presently undeveloped areas.

- When a property is purchased, the buyer puts a lot of thought and equity into that purchase, knowing what zoning is in place. Trying to now put coach houses in established areas could cause loss of privacy, loss of sunshine, noise issues, loss of green space, feeling closed in, loss of good relations in a neighbourhood, possibility of some property values falling. Town could look at zoning for some apartments or entry level townhouses in new development areas.
- Parking is already minimal.

R-1 zone resident comments that support coach houses in R-1 zoned neighbourhoods: (26 surveys)

- I think it's a great way to open up the rental market availability. Plus it provides a great mortgage helper for the property owner, win win.
- I support this change. Better affordability for home owners and more housing availability for renters.
- There needs to be ample parking to accommodate the residents of the coach house as well as the main house occupants. Parking needs to be considered
- With the never ending rise in the cost of living thru - out the lower mainland and the island. It is going to be impossible for the children to afford any sort of independent living without some sort of help. Coach housing is a realistic option for the children of the future. It has been allowed in other countries for years, it's about time we (Canada) caught up with the rest of the world.
- I think this is a great way to help with the housing crisis. We need it sooner rather than later.
- Do your rezoning from this point forward and grandfather out the existing properties. Already we have bylaws in place about parking, boats, big rig trucks and trailers and none of it is ever looked at. Beautiful neighbourhoods are becoming parking lots. Take a critical look, do some lateral thinking for a change. Consider balcony up to 50ft² in size. Two storey coach house would permit two vehicles to be stored off-street, avoiding cluttering up the streets with parked cars.
- Make sure they are well constructed and not just shacks, and do not obstruct ocean views. If you have a larger lot you should be able to have a larger coach house. Would like a coach house in the front yard.
- I believe this could allow young families another avenue into an already very difficult housing market. I'm in full support of this idea.
- On appropriate lots they enable softer densification and can provide accommodation for older family; or younger family, or low cost rental. Should only be coach house OR secondary suite, not both.
- Coach houses could assist with many current issues around housing. That is aging parents, young people, and parents, lack of housing.
- Two storey coach houses are ok IF they do not impede the view of adjacent homes. Adding an additional storey to a garage could take away an ocean view of an adjoining lot.

More comments of support from residents in all areas: (25 surveys)

- A nice way to deal with lack of affordable housing.
- Additional housing is needed in the area.
- Addresses housing shortages, extra taxes for the Town.
- A good idea for those who want to. Some will, some won't. Old Town doesn't have that many since being allowed, only those who can afford it want to be landlords. It will help spread infrastructure costs.
- I believe coach houses could really help with the rental shortage.

- In this day of expensive housing it is a great way for families to pool resources and be able to afford a home for their families. As well it is an option for alleviating homelessness.
- Affordable is a must in this market. Also nice for children and parents to be on the same property.
- I support any innovations that could potentially provide affordable rental accommodation and or flexible inter-generational family accommodation, allowing us to keep our elders at home and support young adults, while still maintaining the aesthetics of our neighbourhoods.

Suggested coach house criteria and conditions from all residents:

- Balcony on 2nd storey provides outdoor space next to the living area, just like any other apartment.
- Min 800ft² for two bedrooms.
- I would like the Town Council to consider living space being split between the two levels.
- I think living space should be permitted on both levels if there is only one garage parking spot. Living on main level reduces intrusion on newborns.
- I think for function and accessibility a coach house with living on both floors within the square footage, one garage.
- Typical one storey garden houses are fine but not the type where you are putting a coach house above a garage etc.
- I think the process of issuing coach house permits should be with staff if the applicant meets the design criteria – removes the political process which is lengthy and biased.
- I am most concerned about viewlines for privacy and preventing buildings that block ocean views.
- There should be some stipulation as to the appearance of the coach house. I love a cute coach house, but I wouldn't want to see a bunch of run down shacks.
- Concerned about the size. Should allow for a one storey and a footprint no greater than 40% of the main house, 40% of the size of the yard. No parking on street or boulevard.

WELCOME

We want to hear from you!

We are seeking your comments, thoughts, and ideas about expanding the area where coach houses are permitted in Ladysmith.



- Currently, coach houses are permitted in and around the downtown.
- Should this area be expanded such that coach houses are permitted on all residential properties zoned 'Single Dwelling Residential' (R-1)?
- Currently a secondary suite is permitted in all single family homes in the R-1 zone.
- Should an owner have the option of a coach house or a secondary suite?

Background

The Town has taken incremental steps to support a range of housing options in Ladysmith's neighbourhoods. In 2011, the Zoning Bylaw was amended to permit secondary suites in most single dwelling residential zones. In 2014 coach houses were permitted in and around the downtown. To continue the effort to create more options for housing affordability, and given interest expressed by some residents, Council is consulting the community about permitting coach houses on parcels zoned 'Single Dwelling Residential' (R-1).



Questions to think about:

Should coach houses be permitted in the R-1 zoned neighbourhoods? If yes, then what should the regulations and design standards be for coach houses in the R-1 Zone neighbourhoods?

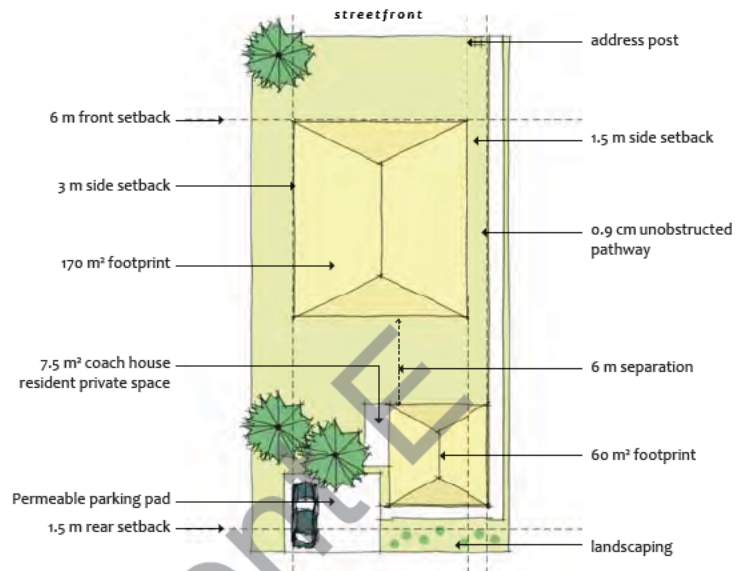
- Do you support one storey or two storey coach houses?
- What size of coach house should be permitted?
- On what lot size should a coach house be permitted?
- On what lot type should a coach house be permitted?
- What should be the setback from the side and rear property line?
- Should a two storey coach house be permitted to have a second floor balcony?
- Should the regulations be the same in all neighbourhoods?
- How will parking be addressed?
- Other...



WHAT'S PERMITTED NOW?

Currently coach houses are permitted in and around the downtown.

Required parcel size (no lane)	780 m ² or greater (8396 ft ²)
Required parcel size (with lane or corner parcel)	668 m ² or greater (7190 ft ²)
Maximum permitted size	60 m ² (645 ft ²)
Maximum permitted height of two-storey coach house	6.6 m (21.6 ft)
Maximum permitted height of single storey coach house	5 m (16.4 ft)
Required distance from house (in rear yard)	6 m (1.8 ft)
Typical required setback from the side and rear lot line (on a lane)	1.5 m (5 ft)
Max permitted size of upper level balcony	2.9 m ² (31.2 ft ²)



STEPS TO BUILD A COACH HOUSE:

- 1 Design your site plan and coach house
- 2 Obtain a coach house development permit
- 3 Obtain a coach house building permit
- 4 Build your coach house

Frequently Asked Questions:

What types of coach house are permitted?

A coach house can be in a single storey building or in a suite above a detached garage.

How big can a coach house be?

A coach house suite can be a maximum of 60 m².

What is needed to install a coach house dwelling unit in an existing accessory building?

A Development Permit is required to install a coach house dwelling unit in an existing accessory building. If the existing building does not meet the requirements of the Zoning Bylaw, a Development Permit Variance Permit application may also be required. The Development Variance Permit application process requires notification to the neighbours.

A building permit is also required to convert an accessory building to residential occupancy. When a 'change of occupancy' is proposed to an accessory building the BC Building Code requires that the building be upgraded to meet current code standards. Thus, you will need to assess the extent of the required building upgrades, and in some cases, existing accessory buildings cannot be made suitable for residential use. Also, be advised that home warranty insurance, from the Homeowner Protection Office of BC (HPO), may be required. For more information visit www.hpo.bc.ca.

Do I need a Building Permit for a coach house and what is the cost?

Yes. If you are constructing a new coach house or converting an existing building to a coach house. A Building Permit fee will be charged based on construction values contained in the Building and Plumbing Act.

How many parking spaces do I need to provide?

One parking stall is needed on the property for the coach house resident, and another stall is needed for the residents of the primary dwelling. Parking may be arranged in tandem, such that one space is located behind the other, with a shared point of access to the adjacent road or lane.

Are there other costs?

Yes. The Town will charge an additional wastewater user rate for each coach house, as well as an additional charge for garbage, recycling, and organic waste collection. Also, water is metered, so usage will increase with the addition of the coach house. There will be only one quarterly bill sent to the owner of the property.

Can I sell my coach house suite?

No. A coach house suite cannot be stratified, subdivided, or otherwise legally separated from the property.

What if I don't use the coach house as an accessory dwelling anymore?

Utility fees will be charged for a coach house until the residential use is removed. Contact the Building Inspector for more information on removing a coach house suite.

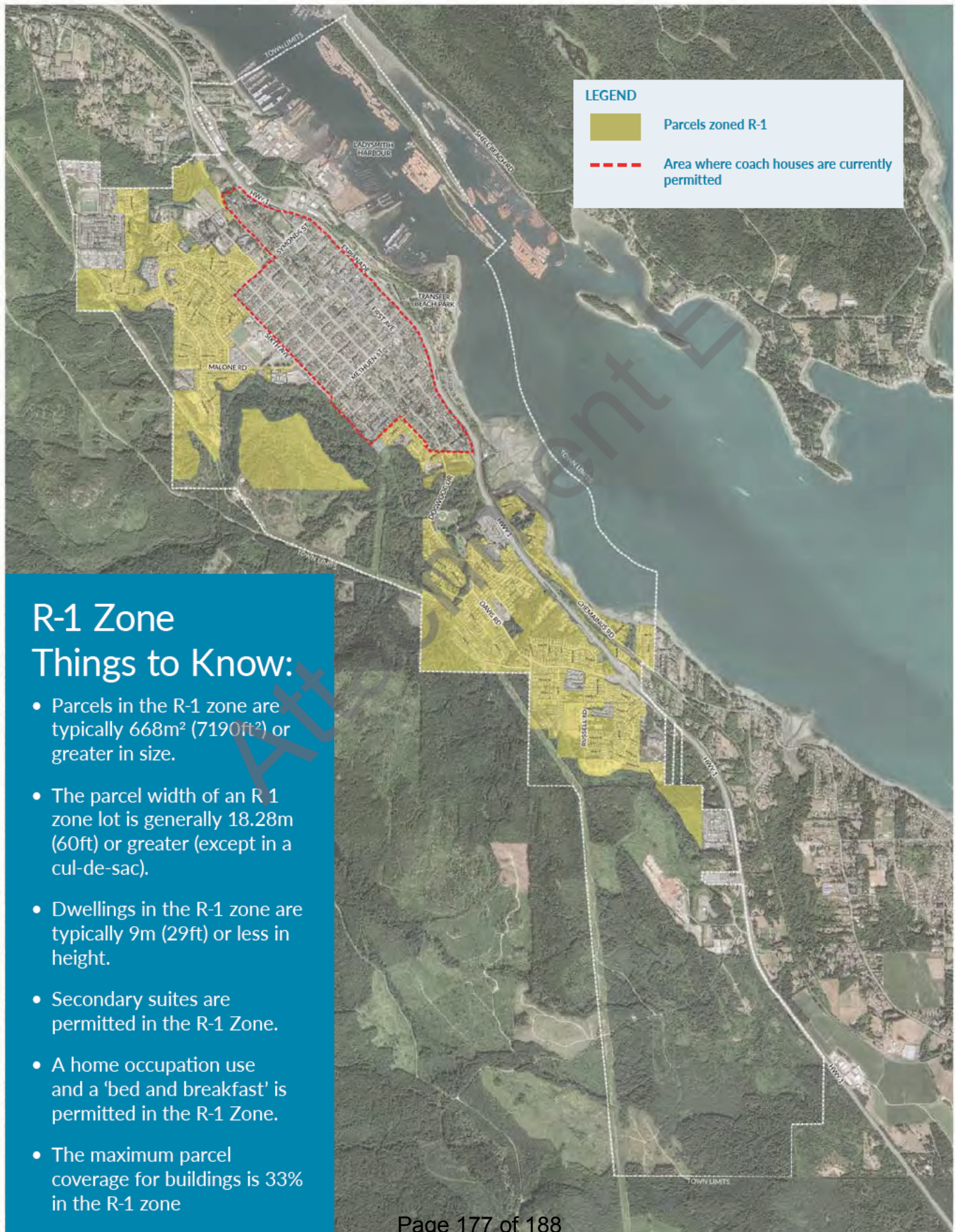
Is a coach house permitted on a parcel that already contains a secondary suite?

No.

How can I learn more about being a landlord?

The Provincial Residential Tenancy Branch website (www.rto.gov.bc.ca) provides resources for landlords and tenants.

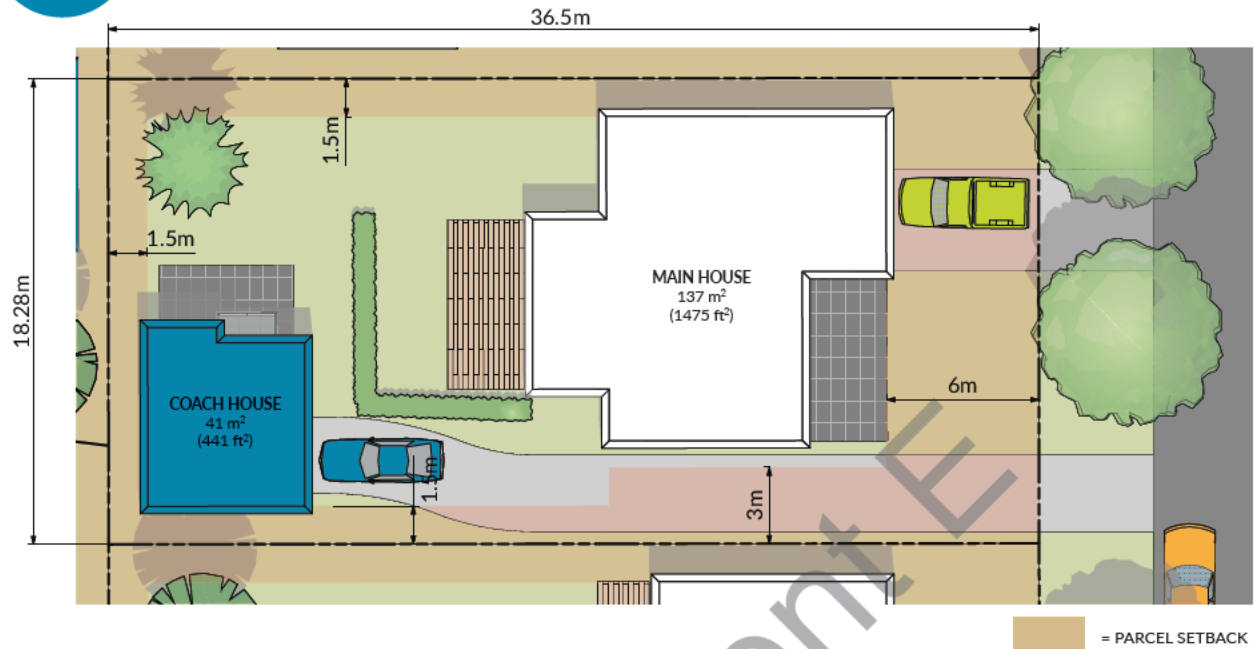
COACH HOUSES WHERE?



1

EXAMPLES IF COACH HOUSES WERE ALLOWED IN R-1 PARCELS

MID-BLOCK RECTANGULAR LOT



Mid-Block Rectangular Lot Scenario Overview:

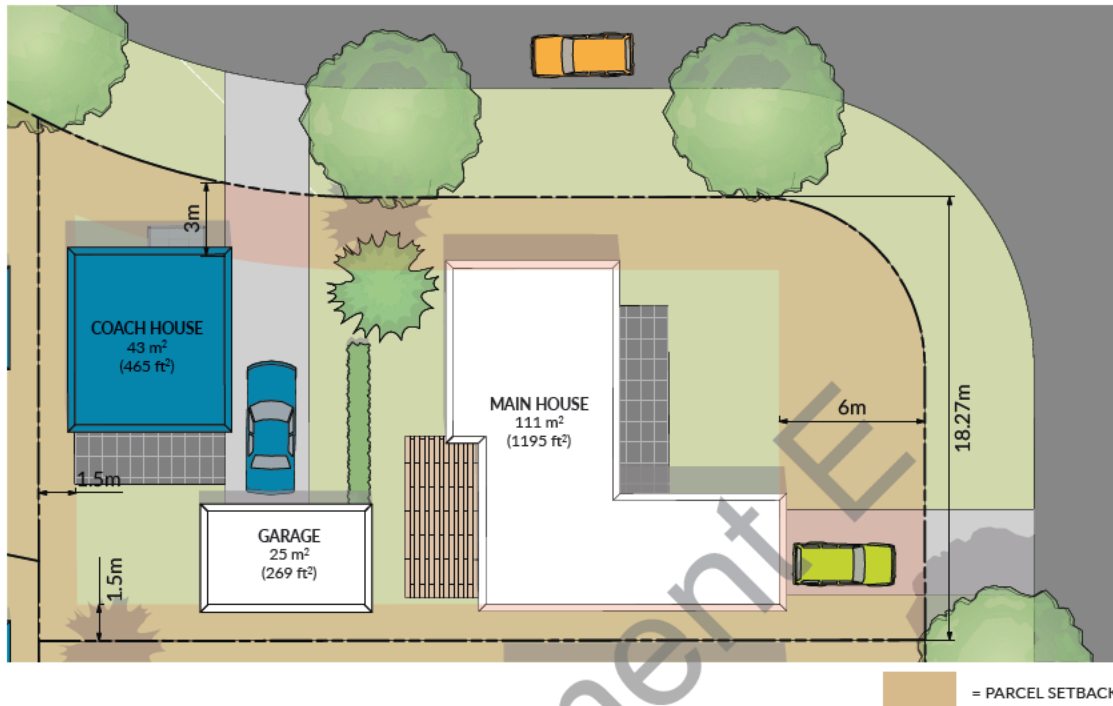
This example shows a main house and a two storey coach house in the rear yard. The coach house building has a workshop or garage on the ground floor and the coach house living space on the second storey.

- The coach house shown is 41 m² (441 ft²) in size.
- There is a 1.5m (5ft) setback from the side and rear property line.
- The distance between the main house and coach house is 9m (29.5ft).
- There is one parking space for the main dwelling and one parking space for the coach house.
- There is a pathway from the street to the coach house entry for first responders.
- There is a private outdoor space for both the main house and the coach house.

Parcel Area	668 m² (7190 ft²)
Main House Parcel Coverage	21%
Accessory Building Parcel Coverage	-
Coach House Parcel Coverage	6%
Total % Parcel Coverage	27%



CORNER LOT



Corner Lot Scenario Overview:

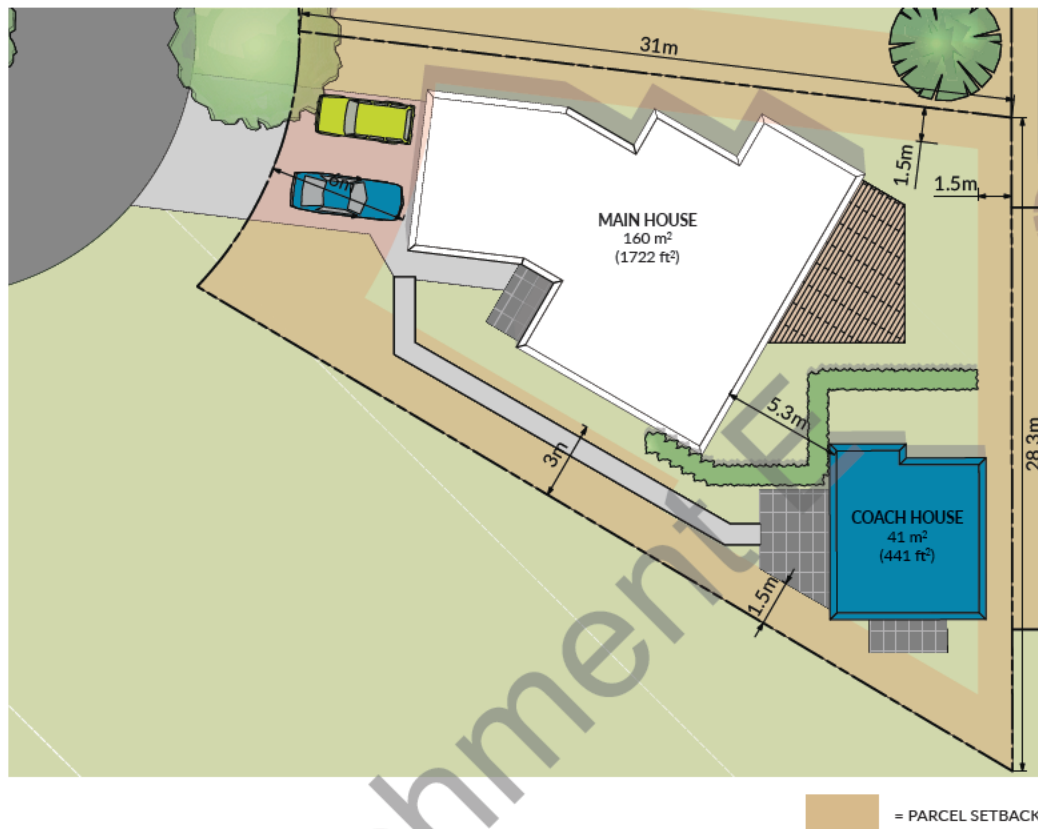
This example shows a main house and a two storey coach house in the rear yard. The coach house building has a workshop or garage on the ground floor and the coach house living space on the second storey.

- The coach house shown is 43 m² (465 ft²) in size.
- There is a 1.5m (5ft) setback from the side and rear property line.
- The distance between the main house and coach house is 9.5 m (31.2 ft).
- There is one parking space for the main dwelling and one parking space for the coach house.
- There is a pathway from the street to the coach house entry for first responders.
- There is a private outdoor space for both the main house and the coach house.

Parcel Area	672 m ² (7233 ft ²)
Main House Parcel Coverage	17%
Accessory Building Parcel Coverage	4%
Coach House Parcel Coverage	6%
Total % Parcel Coverage	27%



CUL-DE-SAC PIE SHAPED LOT

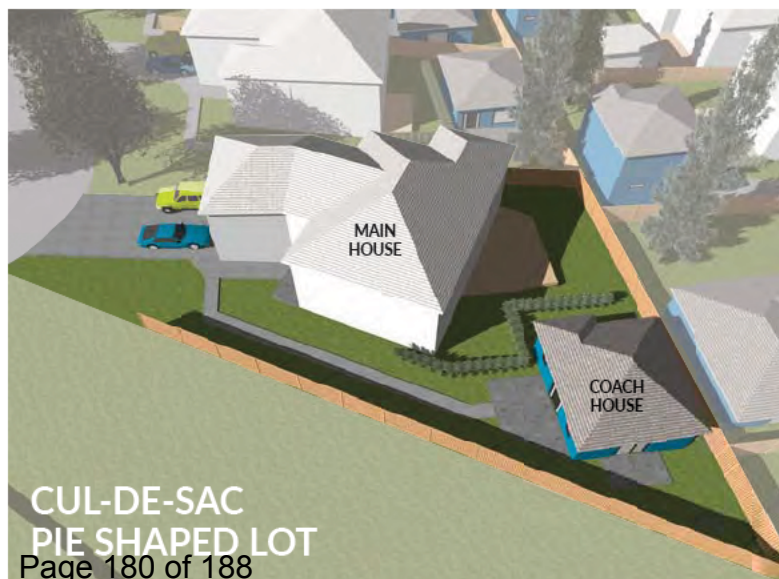


Cul-de-sac Pie Shaped Lot Scenario Overview:

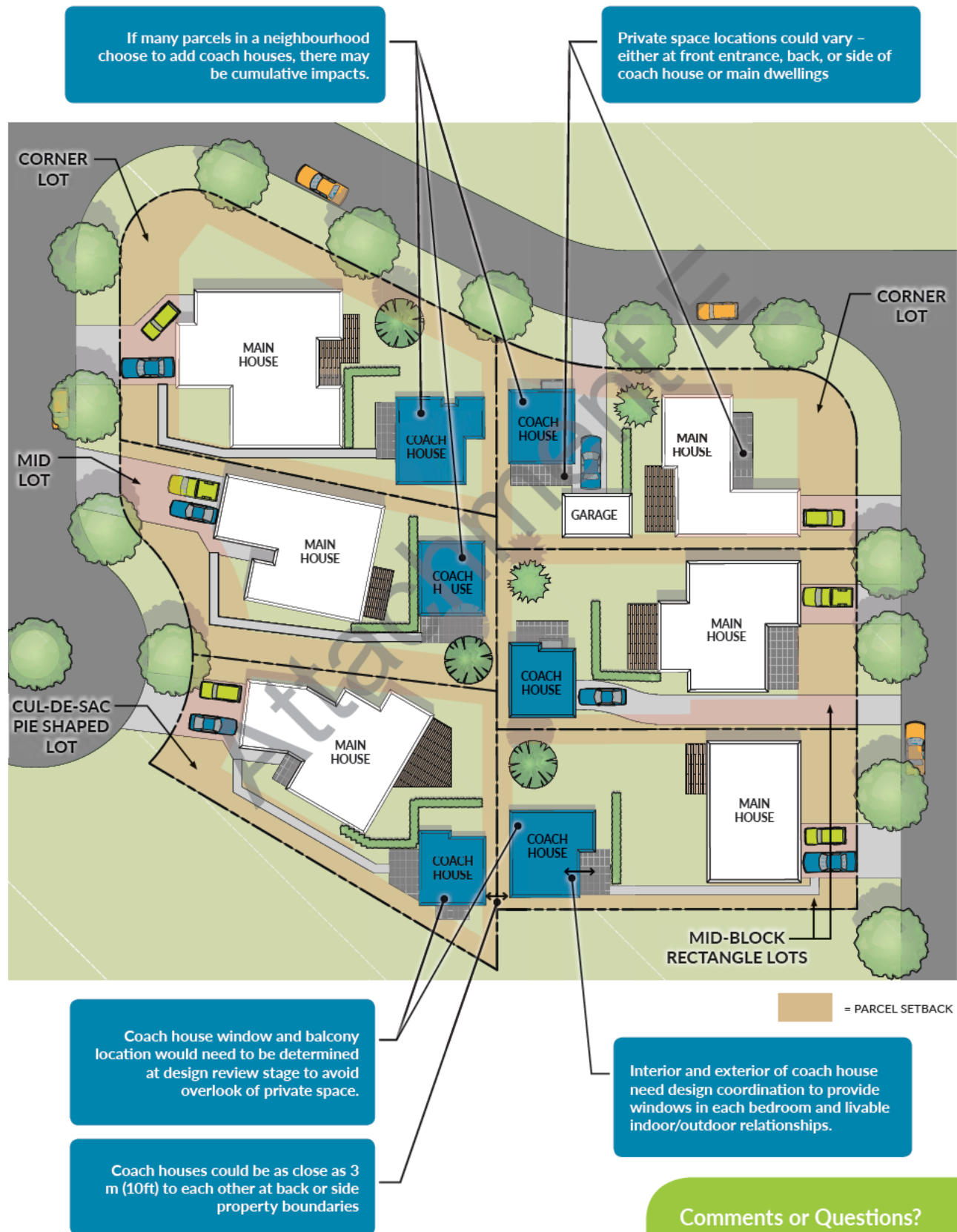
This example shows a main dwelling and a one storey coach house on a cul-de-sac pie shaped lot.

- The coach house shown is 41 m² (441 ft²) in size.
- There is a 1.5m (5ft) setback from the side and rear property line.
- The distance between the main house and coach house is 5.3 m (17.4 ft).
- There is one parking space for the main dwelling and one parking space for the coach house resident.
- There is a pathway from the street to the coach house entry for first responders.
- A private outdoor space is shown for the main house and the coach house resident.

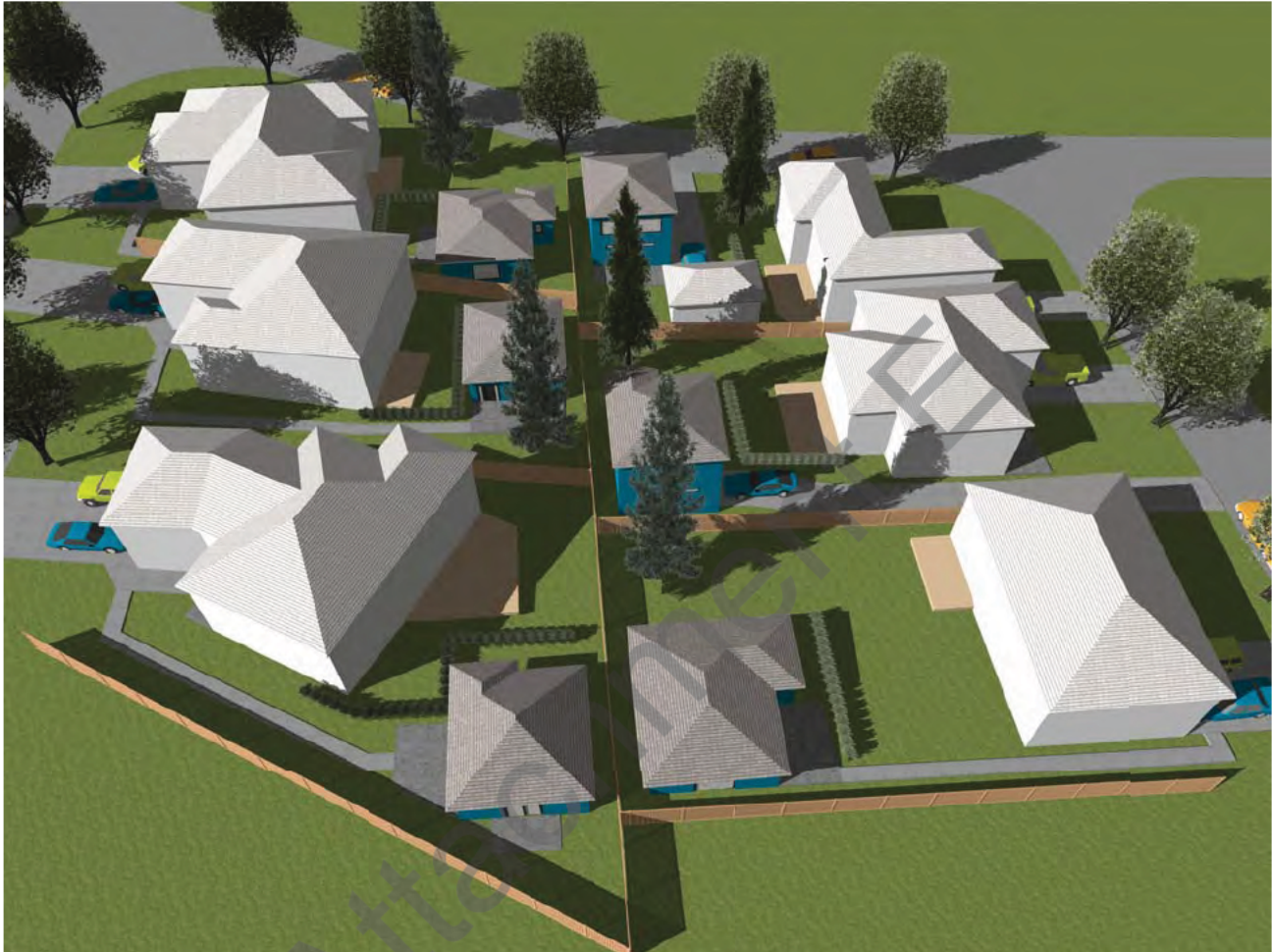
Parcel Area	668 m² (7190 ft²)
Main House Parcel Coverage	24%
Accessory Building Parcel Coverage	-
Coach House Parcel Coverage	6%
Total % Parcel Coverage	30%



EXAMPLES IF COACH HOUSES WERE ALLOWED IN R-1 PARCELS NEIGHBOURHOOD RELATIONSHIPS



Comments or Questions?
Please complete a questionnaire!



Key Considerations FOR COACH HOUSE NEIGHBOURLINESS

- Respect privacy of neighbouring properties – avoid overlook of private space.
- Respect sunlight exposure of neighbouring properties – avoid undue shading.
- Respect view of neighbouring properties – minimize blocking of views from neighbouring homes.
- Design to be harmonious with the principle dwelling and surrounding buildings in the neighbourhood.
- Impacts on neighbours views are possible – assessment would be site specific.
- Coach houses may not fit on some parcels due to the location or size of an existing house.



Comments
or
Questions?

Please complete
a questionnaire!

Thank you for attending!

Your feedback is important!

Questions to think about:

Should coach houses be permitted in the R-1 zoned neighbourhoods?

If yes, then what should the regulations and design standards be for coach houses in the R-1 Zone neighbourhoods?

- Do you support one storey or two storey coach houses?
- What size of coach house should be permitted?
- On what lot size should a coach house be permitted?
- On what lot type should a coach house be permitted?
- What should be the setback from the side and rear property line?
- Should a two storey coach house be permitted to have a second floor balcony?
- Should the regulations be the same in all neighbourhoods?
- How will parking be addressed?
- Other...



How to share your ideas:



Add Your Ideas to this Poster

Review the information here today and add your thoughts to the right.



Complete an Input Questionnaire

Fill in a paper Questionnaire today or online at www.PlaceSpeak.com/coachhouseconsultation2018 by March 9th.



Talk with Us!

Town of Ladysmith staff are here today to discuss your concerns, learn new information, and to listen to your ideas. Come and say hello!



Questions or comments?

If you have further questions after this event, contact info@ladysmith.ca. We would love to hear from you!

Please Add
Your Value or
Concern!

No. B19-04
December 12, 2019

Changes to the BC Building Code for Secondary Suites

The Province of British Columbia is working to remove barriers to the creation of more affordable housing including secondary suites. Previously, secondary suites could only be built in single detached homes and could not exceed a certain size. Effective December 12, 2019, the BC Building Code will allow the construction of new secondary suites in more types of houses, such as duplexes and row housing. Size restrictions for secondary suites have also been removed. This will provide local governments with more options for land use planning.

This bulletin provides further information about Revision 2 of the BC Building Code 2018 (BC Code) for the design and construction of new secondary suites in more building types. Local governments are encouraged to share this information with local builders and property owners.

Background

Allowing the construction of secondary suites in more building types helps to create more affordable housing units while still providing an acceptable level of health and fire safety to occupants. Secondary suites help provide more affordable housing options by expanding a community's rental stock. By making more efficient use of land and infrastructure, secondary suites facilitate low-impact densification that supports community vitality and sustainability. Secondary suites can be integrated within mature neighbourhoods with limited visual impact on the street, which helps communities retain neighbourhood character while providing more options for rental housing.

The BC Code historically limited the size of secondary suites and only permitted them in single detached houses. Land use bylaws were often based on these requirements. Mid-cycle revisions to the BC Code increase the options for the design and construction of new secondary suites in a wider range of building types and remove the restrictions on size.

The introduction of new requirements for the design and construction of secondary suites in the BC Code does not allow owners to contravene existing land use bylaws. The changes only provide acceptable design and construction solutions of a technical nature.

Local governments are encouraged to review their bylaws to determine if the BC Code changes will have any impacts. Local governments may wish to amend their bylaws to remove any previous code references or if they decide to permit secondary suites in more building types.


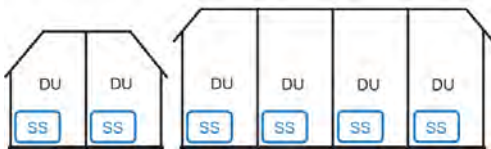
Changes to the BC Building Code 2018

The BC Code **previously** defined a *secondary suite* as “a *dwelling unit*

- having a total floor space of not more than 90 m² in area,
- having a floor space less than 40% of the habitable space of the *building*,
- located within a *building* of *residential occupancy* containing only one other *dwelling unit*, and
- located in and part of a *building* which is a single real estate entity.”

The approved mid-cycle revision **discontinues the prescribed floor space amounts and percentage distribution**. The BC Code does not require the building owner to occupy either of the units, but the two units must be a single real estate entity.

Comparison of Changes

Provision	Previous BC Code 2018	BC Code 2018 Revision 2 Change
Total floor area of the secondary suite	A secondary suite shall have a total floor space of not more than 90 m ² in area.	No limit to floor space of a secondary suite.
Percentage distribution of the floor space of the secondary suite to the habitable space of the building	A secondary suite shall have a floor space less than 40% of the habitable space of the building.	No limit to the percentage distribution of the secondary suite to the habitable space of the building.
Building type where secondary suites are permitted	A secondary suite shall be located within a building of residential occupancy containing only one other dwelling unit. 	The building may contain other dwelling units or occupancies that are horizontally adjacent; they may not be located above or below each other. 
Real estate entity	A secondary suite shall be located in, and part of, a building which is a single real estate entity.	No change: the secondary suite and the other dwelling unit in the house constitute a single real estate entity; the secondary suite may not be separately strata-titled or otherwise subdivided from the other dwelling unit.

The **new** definition states that a *secondary suite* means “a self-contained *dwelling unit* located within a *building* or portion of a *building*:

- completely separated from other parts of the *building* by a vertical *fire separation* that has a *fire-resistance rating* of not less than 1 hour and extends from the ground or lowermost assembly continuously through or adjacent to all *storeys* and spaces including *service spaces* of the separated portions,
- of only *residential occupancy* that contains only one other *dwelling unit* and common spaces, and
- where both *dwelling units* constitute a single real estate entity.”

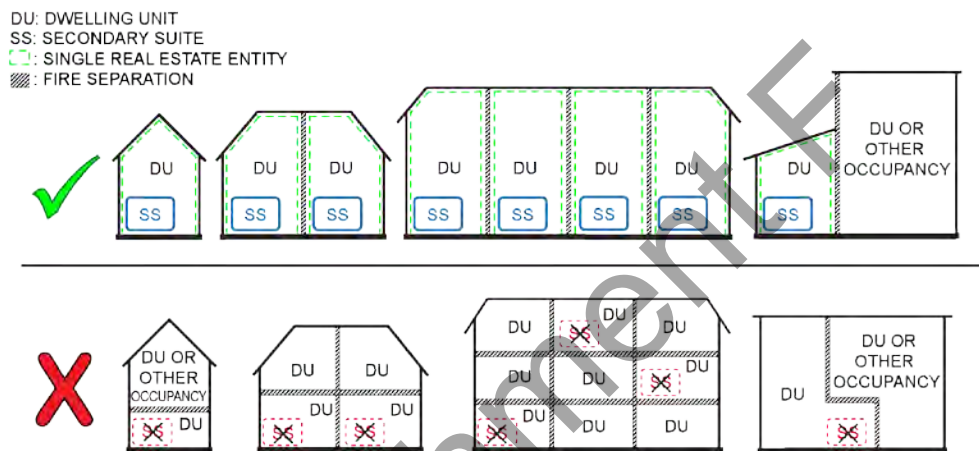
The change adopts and adapts permissions in the National Building Code to **allow construction of secondary suites in a building that may contain more than one dwelling unit or other occupancy**. These permissions are limited and only apply where a dwelling unit and its secondary suite are completely separated from other parts of the building with continuous vertical fire-rated construction. These permissions do not allow

secondary suites to be constructed in dwelling units that are above or below multiple dwelling units or other occupancies.

Examples where secondary suites are now permitted include side-by-side duplexes and row houses where a vertical fire separation separates the secondary suite from the remainder of the building.

Examples where secondary suites are not permitted are up/down duplexes and apartment buildings where dwelling units are above or below other dwelling units.

Figure 1: Examples of permissible and non-permissible secondary suites



Resources

The new BC Code definition of “secondary suite” is included in the Appendix to this bulletin.

More Information

[Technical Bulletin B19-05](#) provides information about the Revision 2 changes to the BC Code for the design and construction of new secondary suites.

Please direct any questions about land use bylaws to:

Ministry of Municipal Affairs and Housing
Planning and Land Use Management Branch
Telephone: 250-387-3394
Email: PLUM@gov.bc.ca

Please direct any questions about technical code requirements to:

Ministry of Municipal Affairs and Housing
Building and Safety Standards Branch
Telephone: 250-387-3133
Email: Building.Safety@gov.bc.ca

Appendix: Definition of “Secondary Suite” (from BC Building Code 2018 Revision 2)

Secondary suite means a self-contained *dwelling unit* located within a *building* or portion of a *building*

- completely separated from other parts of the *building* by a vertical *fire separation* that has a *fire-resistance rating* of not less than 1 h and extends from the ground or lowermost assembly continuously through or adjacent to all *storeys* and spaces including *service spaces* of the separated portions,
- of only *residential occupancy* that contains only one other *dwelling unit* and common spaces, and
- where both *dwelling units* constitute a single real estate entity.

(See Note A-1.4.1.2.(1) of Division B.)

A-1.4.1.2.(1) Defined Terms.

Secondary Suite

A secondary suite is a self-contained dwelling unit that is part of a house containing not more than two dwelling units (including the secondary suite) and any common spaces such as common storage, common service rooms, common laundry facilities or common areas used for egress. Secondary suites are typically created within an existing single dwelling building (house) either constructed as an addition or an alteration to an existing house or incorporated during the construction of a new house. A secondary suite may have more than one storey and may be on the same level as the other dwelling unit of the house or be above or below it.

Examples of buildings where secondary suites are permitted include individual detached houses, or where the secondary suite is located in a portion of a building, semi-detached houses (half of a double and also known as a side-by-side) and row houses where a vertical fire separation separates the portion from the remainder of the building.

Where a building has multiple vertically separated occupancies, the secondary suite can only be created in a vertically separated portion of the building that is of residential occupancy. A vertical fire separation that extends continuously through all crawlspaces, storeys and attic spaces of the building is required to vertically separate portions of a building. Apartment buildings have dwelling units above and below others that share a horizontal assembly and are therefore not permitted to have secondary suites. Figure A-1.4.1.2.(1)-C shows building types where secondary suites are permitted as well as building types where other dwelling units or other occupancies are located above or below such that secondary suites are not permitted.

DU: DWELLING UNIT
SS: SECONDARY SUITE
[Green dashed line]: SINGLE REAL ESTATE ENTITY
[Hatched line]: FIRE SEPARATION

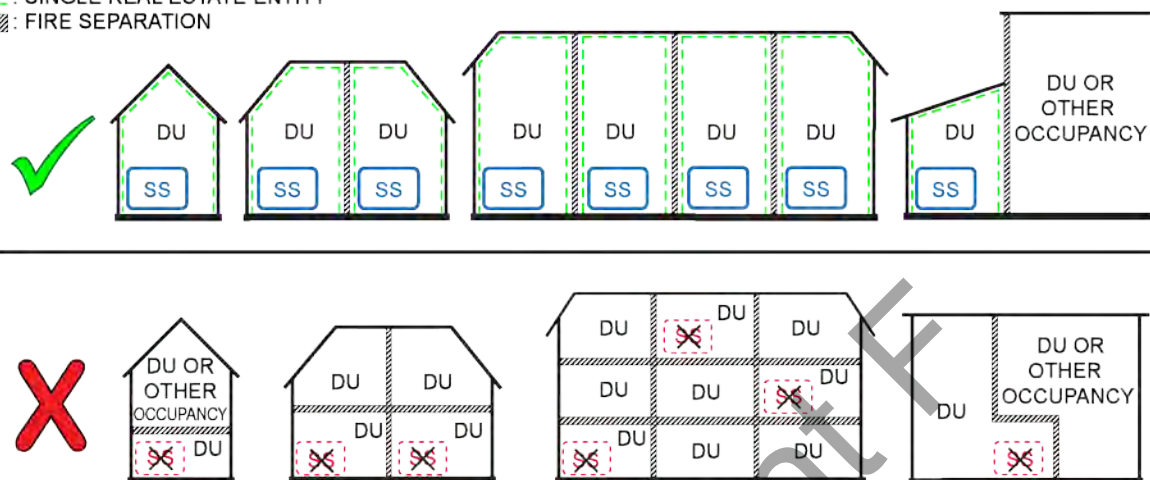


Figure A-1.4.1.2.(1)-C
Building Types where Secondary Suites are Permitted

Neither the secondary suite nor the other dwelling unit in a house can be strata-titled or otherwise subdivided from the remainder of the house under provincial or territorial legislation. This means that both dwelling units are registered under the same title.