

**A PUBLIC HEARING AND SPECIAL MEETING OF THE
COUNCIL OF THE TOWN OF LADYSMITH
AGENDA
6:00 P.M.**

Tuesday, June 14, 2022

This meeting will be held electronically

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.

1.1. INFORMATION ON HOW TO VIEW / ATTEND THE MEETING

Register to electronically attend the meeting:

https://us06web.zoom.us/webinar/register/WN_tqvCfbDvRDOdY74BH-4JrQ

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

For those unable to participate by electronic means, the meeting will be broadcast in the City Hall Council Chambers at 410 Esplanade. Participation will be managed electronically via Zoom, operated from Council Chambers. Seating is limited.

View the livestream on

YouTube: <https://www.youtube.com/channel/UCH3qHAExLiW8YrSuJk5R3uA/featured>.

2. AGENDA APPROVAL

Recommendation

That Council approve the agenda for this Public Hearing and Special Meeting of Council for June 14, 2022.

3. PUBLIC HEARING

- 3.1. "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 70) 2022, No. 2102" and "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 47) 2022, No. 2103"

Subject properties: 1301 and 1391 Rocky Creek Road

- 3.1.1. Outline of Public Hearing Process - Mayor Stone
- 3.1.2. Introduction of Bylaw and Statutory Requirements - Senior Planner, Development Services
- 3.1.3. Submissions
- 3.1.4. Call for Submissions to Council (Three Times) - Mayor Stone
- 3.1.5. Declaration that the Public Hearing for Bylaw Nos. 2102 and 2103 is Closed - Mayor Stone

4. BYLAWS - OFFICIAL COMMUNITY PLANNING AND ZONING

- 4.1. "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 70) 2022, No. 2102" 3

Recommendation

That, subject to any additional matters raised at the Public Hearing, Council give third reading to "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 70) 2022, No. 2102".

- 4.2. "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 47) 2022, No. 2103" 6

Recommendation

That, subject to any additional matters raised at the Public Hearing, Council:

- 1. Give third reading to "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 47) 2022, No. 2103"; and
- 2. Direct staff to refer Bylaw No. 2103 to the Ministry of Transportation and Infrastructure pursuant to section 52 of the *Transportation Act*.

5. ADJOURNMENT

TOWN OF LADYSMITH

BYLAW NO. 2102

A Bylaw to amend "Official Community Plan Bylaw 2003, No. 1488"

The Council of the Town of Ladysmith in open meeting assembled enacts the following amendments to "Official Community Plan Bylaw 2003, No. 1488":

- 1. Schedule A.1 - Development Permit Areas "Exemptions", by deleting item 4.(m) in its entirety and replacing with the following:

"(m) construction of, addition to, or alteration of a single family or two family dwelling in Commercial (DPA 3), or Multi-Unit Residential (DPA 4);"

- 2. Map 1 – Land Use, by changing the "Single Family Residential" designation to "Multi-Family Residential" for Lot A, District Lots 81, 86 and 98, Oyster District, Plan EPP87265 (PID: 030-801-460) as shown in Schedule 1, which is attached to and forms part of this Bylaw;

- 3. Map 2 – Development Permit Areas, by adding:
 - a. Lot A, District Lots 81, 86 and 98, Oyster District, Plan EPP87265 (PID: 030-801-460) as shown in Schedule 1 to "DPA 3 – Commercial" (Development Permit Area 3 – Commercial) and "DPA 4 – Commercial" (Development Permit Area 4 – Multi-Unit Residential); and
 - b. The easternmost portion of Lot A, District Lots 81, 86 and 98, Oyster District, Plan EPP87265 (PID: 030-801-460) to "DPA 7 – Hazard Lands" (Development Permit Area 7 - Hazard Lands), as shown in Schedule 2 which is attached to and forms a part of this Bylaw.

Citation

- 4. This Bylaw may be cited for all purposes as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 70) 2022, No. 2102".

READ A FIRST TIME on the 1st day of February, 2022

READ A SECOND TIME on the 1st day of February, 2022

PUBLIC HEARING HELD on the _____ day of _____, 2022

READ A THIRD TIME on the _____ day of _____, 2022

ADOPTED on the _____ day of _____, 2022

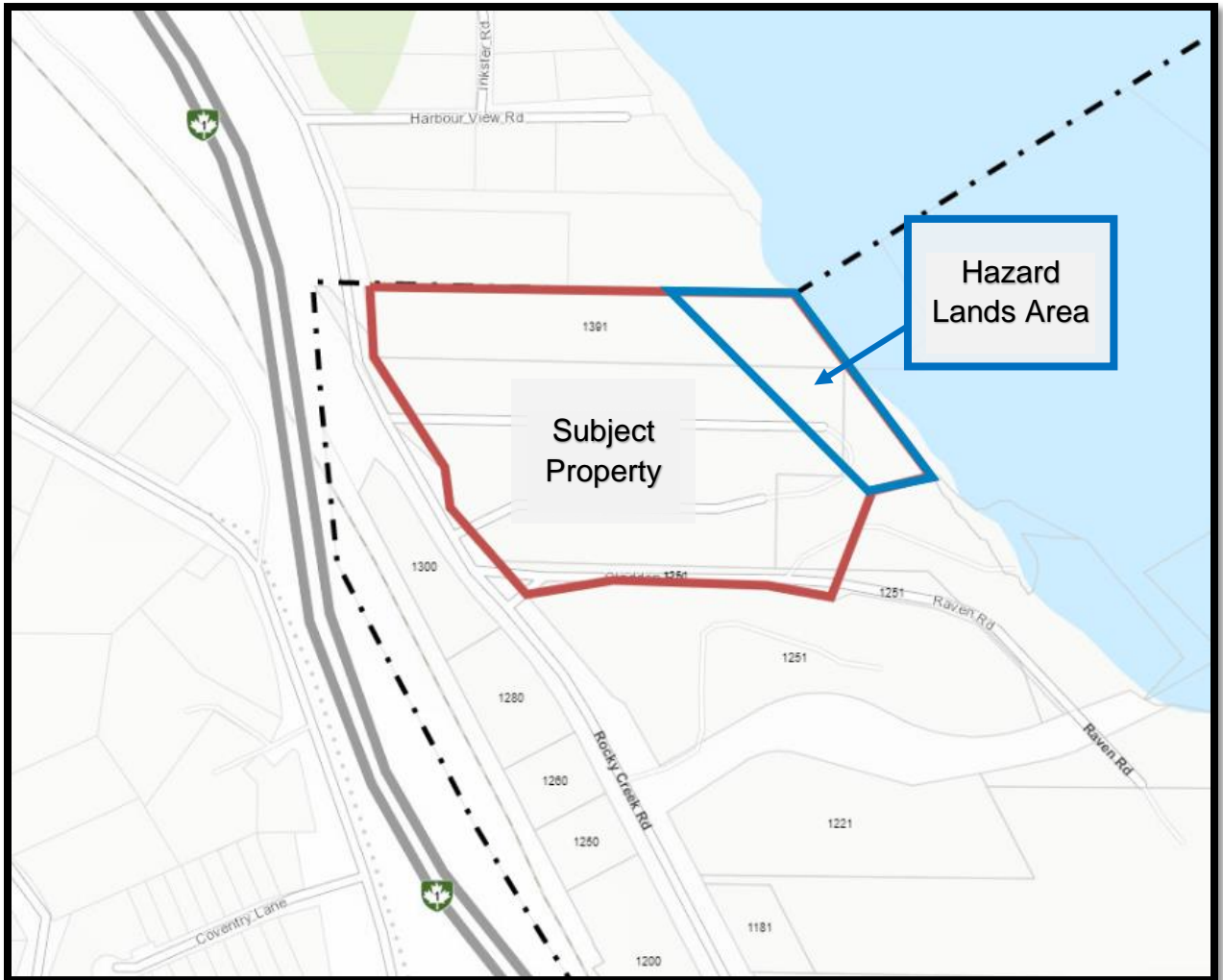
Mayor (A. Stone)

Corporate Officer (D. Smith)

Schedule 1



Schedule 2



TOWN OF LADYSMITH

BYLAW NO. 2103

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

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

1. Schedule A – Zoning Bylaw Text:
 - a. By adding the following to the end of the table in Section 9.1 "Creation of Zones" subsection a):

Rocky Creek Road Mixed-Use Residential	CD-7
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- b. By adding to Part 17: Comprehensive Development Zones a new zone "17.7 Comprehensive Development 7 – Rocky Creek Road Mixed-Use Residential (CD-7)" as shown in Schedule 1, which is attached to and forms part of this Bylaw.
2. By amending Schedule B – Zoning Bylaw Map to change the zone for the subject area, at Lot A, District Lots 81, 86 and 98, Oyster District, Plan EPP87265 (PID: 030-801-460) as shown in Schedule 2 which is attached to and forms a part of this Bylaw from R-1-B and RU-1 to CD-7.

Citation

3. This Bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 47) 2022, No. 2103".

READ A FIRST TIME on the 1st day of February, 2022

READ A SECOND TIME on the 1st day of February, 2022

PUBLIC HEARING HELD on the _____ day of _____, 2022

READ A THIRD TIME on the _____ day of _____, 2022

APPROVED BY MINISTRY OF TRANSPORTATION

on the _____ day of _____, 2022

ADOPTED on the _____ day of _____, 2022

Mayor (A. Stone)

Corporate Officer (D. Smith)

Schedule 1

17.7 COMPREHENSIVE DEVELOPMENT 7 – ROCKY CREEK ROAD MIXED-USE RESIDENTIAL (CD-7)

The purpose of the Comprehensive Development 7 Zone is to accommodate a mixed-use residential neighbourhood with a range of housing options and densities, with flexibility in permitted uses to allow for the option of Live-Work uses adjacent to Rocky Creek Road and to provide access to local commercial services for existing and future residents.

1. Principal Uses

- a) Artist Studio.
- b) *Bakery.*
- c) *Coffee Shop.*
- d) *Commercial School.*
- e) *Community Care Facility.*
- f) *Convenience Store.*
- g) Cottage Industry.
- h) *Liquor Retail Sales.*
- i) *Media Production Studio.*
- j) *Micro-Brewery.*
- k) *Multiple-Unit Dwelling.*
- l) *Neighbourhood Pub.*
- m) *Non-Motorized Recreational Equipment Sales or Rental*
- n) *Office.*
- o) *Personal Service Establishment.*
- p) *Restaurant.*
- q) *Retail Sales.*
- r) *Single Unit Dwelling.*
- s) *Tourist Accommodation.*
- t) *Two Unit Dwelling.*
- u) *Townhouse Dwelling.*
- v) *Veterinary Clinic.*

2. Accessory Uses

- a) *Coach House Dwelling, as an Accessory Use to a Single Unit Dwelling, and subject to Part 6, Section 6.5.*

- b) *Home Based Business*, subject to Part 6, Section 6.8.
- c) *Recreation Activity Space*.
- d) *Secondary Suite*, subject to Part 6, Section 6.4.
- e) *Urban Agriculture*.

3. Sizing and Dimensions of Parcels

- a) No *Parcel* for a *Single Unit Dwelling Use* shall be created which has a *Parcel Area* less than 372 square metres in area.
- b) No *Parcel* for a *Two Unit Dwelling Use* shall be created which has a *Parcel Area* less than 780 square metres in area.
- c) No *Parcel* for a *Multiple-Unit Dwelling* or a *Townhouse Dwelling* shall be created which has a *Parcel Area* less than 2023 square metres.
- d) No *Parcel* for a commercial use shall be created which has a *Parcel Area* less than 668 square metres in area.
- e) No *Parcel* shall be created which has a *Frontage* of less than 12.19 metres.

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

- a) For the *Parcel* legally described as Lot A, District Lots 81, 86 and 98, Oyster District, Plan EPP87265 (PID: 030-801-460), the maximum number of *Dwelling Units* is 282 in total.
- b) The maximum number of *Dwelling Units* permitted by subsection 17.7.4.a) applies despite any subdivision of the *Parcel* specified.
- c) For the purpose of calculating the maximum total density permitted by 17.7.4.a) and b), an *Accommodation Unit* for a *Tourist Accommodation Use* will be counted as a *Dwelling Unit*.

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

- a) For a *Single Unit Dwelling* section 10.4.4. “Size and Density of the Use of Land, Buildings and Structures” of Section 10.4 “Single Dwelling Residential – Small Lot B Zone (R-1-B)” shall apply.
- b) For a *Two Unit Dwelling* section 10.6.4. “Size and Density of the Use of Land, Buildings and Structures” of Section 10.6 “Old Town Residential (R-2)” shall apply.
- c) For a *Multiple-Unit Dwelling* or a *Townhouse Dwelling* the *Floor Space Ratio* shall not exceed 2.0.
- d) For a *Parcel* created for a *Multiple-Unit Dwelling* or a *Townhouse Dwelling*, no *Building* or *Structure* shall exceed a *Parcel Coverage* of 50.0 percent.
- e) No commercial use on a *Parcel* shall have a *Gross Floor Area* greater than 200 square metres.

- d) Despite subsection 17.7.5.e) a maximum of one commercial use on the *Parcel* legally described as Lot A, District Lots 81, 86 and 98, Oyster District, Plan EPP87265 (PID: 030-801-460), may have a *Gross Floor Area* of no greater than 500 square metres. The maximum of one commercial use no greater than 500 square metres applies despite any subdivision of the *Parcel* specified.
- f) The combined *Floor Space Ratio* for all commercial uses on a *Parcel* shall not exceed 0.5.
- g) Commercial uses may only be located on the *First Storey* of a *Building*.
- h) Despite section 17.7.5(g) *Tourist Accommodations* may be located above the *First Storey* of a *Building*.
- i) A *Parcel* may contain more than one *Principal Building*.
- j) Despite section 17.7.5.(i) a *Parcel* for a *Single Unit Dwelling* shall not contain more than one *Principal Building*.

6. Siting, Sizing and Dimension of Uses, Buildings and Structures

- a) For a *Single Unit Dwelling* section 10.4.5. “Siting, Sizing and Dimension of Uses, Buildings and Structures” of Section 10.4 “Single Dwelling Residential – Small Lot B Zone (R-1-B)” shall apply.
- b) For a *Two Unit Dwelling* section 10.6.5 “Siting, Sizing and Dimension of Uses, Buildings and Structures” of Section 10.6 “Old Town Residential (R-2)” shall apply.
- c) For a *Multiple-Unit Dwelling* or a *Townhouse Dwelling* section 10.10.5 “Siting, Sizing and Dimension of Uses, Buildings and Structures” of Section 10.10 “Medium Density Residential (R-3)” shall apply.
- d) Despite section 10.10.5.(a) a *Multiple-Unit Dwelling Building* shall not exceed a *Height* of 21.0 metres.
- e) Despite section 10.10.5.(d) no *Multiple-Unit Dwelling Building* shall be located closer than 6.0 metres from any *Parcel Line* that abuts a *Parcel* that contains a *Single Unit Dwelling* or a *Two Unit Dwelling*.

7. Landscaping and Screening

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

8. Parking and Loading

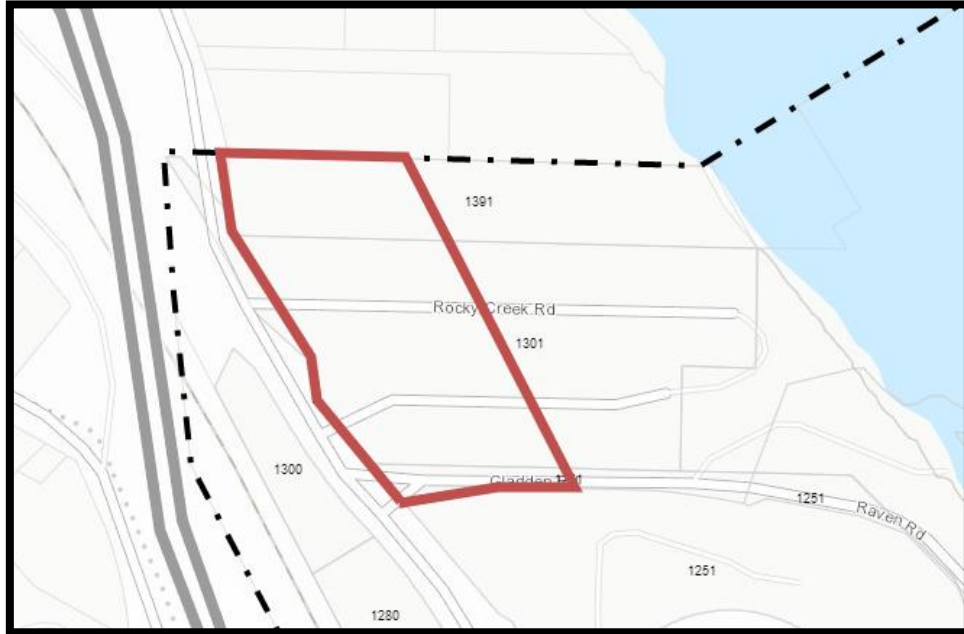
- a) Off-street parking and off-street loading shall be provided in accordance with Part 8 Parking and Loading Regulations.

9. Additional Option for Live-Work Industrial Development

- a) For the portion of *Parcel* legally described as Lot A, District Lots 81, 86 and 98, Oyster District, Plan EPP87265 (PID: 030-801-460), shown in Figure 17.7, the

Uses permitted in the I-1A *Zone* are permitted in addition to the *Uses* listed in section 17.7.1 and 17.7.2, subject to meeting the requirements for: sizing and dimension of parcels; size and density of the use of the land, buildings and structures; siting sizing and dimensions of uses, buildings and structures; landscaping and screening; parking and loading; and, other regulations as provided in sections 12.1.3 to 12.1.8 of Section 12.1 “Live/Work Industrial (I-1A)”.

Figure 17.7



Schedule 2

