



AGENDA

Committee of the Whole
to be held on September 12, 2023 at 1 p.m.
977 South Maquinna Drive in Council Chambers and by electronic means

Remote Access

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Call to Order

Land Acknowledgement

Mayor Davis will acknowledge and respect that we are meeting upon
Mowachaht/Muchalaht territory.

Introduction of Late Items

None.

Approval of the Agenda

Business Arising

- H 1 Report to Council Re: Village of Tahsis Zoning Amendment Bylaw No. 660, 2023**
- 2 Report to Council Re: Tahsis Flood Protection Improvement Project- Phase 2, Change Order (riverbank footpath)**

Adjournment

VILLAGE OF TAHSIS

Report to Council

To: Mayor and Council

From: Kevin Brooks, MPLAN, RPP

Date: September 8, 2023

Re: Zoning Bylaw Amendment – Tiny Home and RV permanent residency – Rugged Mountain Rd.

PURPOSE OF REPORT:

TO PROVIDE A SUMMARY OF THE PROPOSED ZONING AMENDMENT BYLAW TO PERMIT THE USE OF RV AND TINY HOMES FOR PERMANENT RESIDENCE AND TO PROVIDE THE OPPORTUNITY FOR COUNCIL TO PROVIDE 1ST AND 2ND READING OF THE BYLAW

OPTIONS/ALTERNATIVES

1. That Council give 1st and 2nd reading to bylaw 660, 2023;
and That Council direct staff to coordinate a public hearing.
2. That Council reject the proposed rezoning as inconsistent with the Village's vision
3. That Council defer consideration until further information is provided

BACKGROUND:

The Carpenter family has owned the mobile home park for decades. Over the last decade it was found that when a mobile home was decommissioned, new homes were not moving into the park. Mr. Carpenter applied to the Village to rezone the parcel to permit permanent residency of recreational vehicles on the parcel. Further, he has stated his interest in siting tiny homes on the property. The goal is to diversify housing types and also permit increased revenue to help make the operation of the park viable long term.

Figure 1: Site Context



POLICY / LEGISLATIVE REQUIREMENTS:

Official Community Plan

The property is designated Residential under the Official Community Plan (OCP).

Figure 2: OCP Land Use Designation



The Residential designation envisions both permanent and seasonal for the community. Further, the OCP states that there is a need for different forms of housing to support increase in both rental and affordable housing options in the Village.

Further, The OCP has Housing Affordability and Rental Housing policies. These policies support the providing of alternative forms of housing to encourage more rental housing within the community.

The site is located within the Anthropogenic Hazard Development Permit Area making land excavation challenging. Any development that would result in ground disturbance will trigger the Anthropogenic Hazards development permit requirements.

Due to the issues with ground stability and excavation, the provision of housing that avoids excavation is a suitable use for the property.

Zoning Bylaw

The property is currently zoned Residential Multiple Zone Two (RM-2). The table below provides a summary of the RM-2 zone and shows the proposed amendments to the zones for reference (highlighted).

Table 1: Zoning Amendment Summary

	RM-2 zone	Proposed
Principle Use	Mobile home	No change
Accessory Use	Accessory building or structure Community care facility Home-based business Professional occupation Urban agricultural use	Tiny Homes
Minimum Setbacks	7.5 m from all exterior property lines No mobile home will be located with 7 m of another mobile home Not part of any mobile home or any addition or accessory building shall be located: a) Within 2 m of an internal access road right-of-way or common parking area b) Within two metres of rear and side mobile home space lines	Where new tiny home sites are permitted the following is required: Front – 5.0 metres Rear – 2.0 metres Side - 1.5 metres

Maximum Density	20 Dwelling Units per hectare	No change
Maximum Height	10 metres	No change
Maximum Lot Coverage	Mobile home and additions to it (exclusive of carport) – 35% addition to a mobile home (exclusive of carport or patio) – 20%	no change
Minimum Lot Size and Lot Frontage	Minimum area	Mobile home - 325 square metres Tiny Home/RV – 175 square metres
	Minimum frontage when abutting an internal roadway right-of-way	Mobile home - 12 metres Tiny Home – 6 metres
	minimum frontage when abutting a cul-de-sac or panhandle mobile home space	no change
Conditions of Use	4) Mobile Home Space/Lot a) each mobile home space shall be clearly marked off by suitable means; b) all mobile home spaces shall be properly drained, clearly numbered and have a clearly discernible mobile home pad of compacted gravel or be surfaced with asphalt or concrete pavement; c) no more than one mobile home shall be located on a mobile home space.	no change
	Off-Street Parking a) two (2) parking stalls shall be provided for each mobile home space; b) in addition, one stall for every five (5) mobile home spaces shall be provided in the mobile home park for common guest parking.	no change
	General Provisions a) the owner of a mobile home park shall provide within the mobile home park one or	no change

	<p>more recreation areas, protected from automobile traffic and having a total area of not less than 10% of the mobile home park. The buffer strip and street right-of-way shall not be included in calculating the recreation area provided;</p> <p>b) at least one open communal storage site having a surface area of a minimum average of twenty (20) square metres for each mobile home site shall be located within each mobile home park. The communal storage site shall be located in a section of the park where it will not create a nuisance, as to sight, sound or smell, and must be adequately landscaped, provide adequate security, and not be located in any buffer or recreation area. No structures shall be constructed in open communal storage sites.</p> <p>c) All accessory structures such as patios, porches, additions, skirting and storage facilities shall be factory prefabricated units, or of a quality equivalent thereto, so that the appearance, design and construction will complement the mobile home. The undercarriage of each mobile home shall be screened from view by skirting or such other means satisfactory to the building official.</p>	
		<p>7) Tiny Home Provisions</p> <p>a) The maximum density of Tiny Homes will be less than 50 % of the total pads within the park.</p> <p>b) Any Tiny Home located within an RM-2 zone must</p>

		<p>be on a permanent pad as follows:</p> <ul style="list-style-type: none"> • Pad must be dust free permanent pad of gravel, cement or asphalt • Each pad must be provided with full year-round services <p>c) Where a laundromat is provided the following is permitted:</p> <ul style="list-style-type: none"> • Up to 65% of the total pads within an established mobile home park can be tiny homes
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The proposed changes outlined in the table above are generally consistent with the existing uses of the property.

FINANCIAL IMPLICATIONS:

There are no foreseen financial implications for the Village at this time.

STRATEGIC PRIORITY:

Not a 2023 Strategic Priority for Council.

RECOMMENDATION:

It is recommended that Council give the proposed bylaw 1st and 2nd reading and proceed to a public hearing. The proposal is consistent with the OCP and will result in opportunity for new housing diversity and the long-term viability of the existing mobile home park.

Respectfully submitted:

“KB”

Kevin Brooks, MPLAN, RPP

Approved for Council consideration:

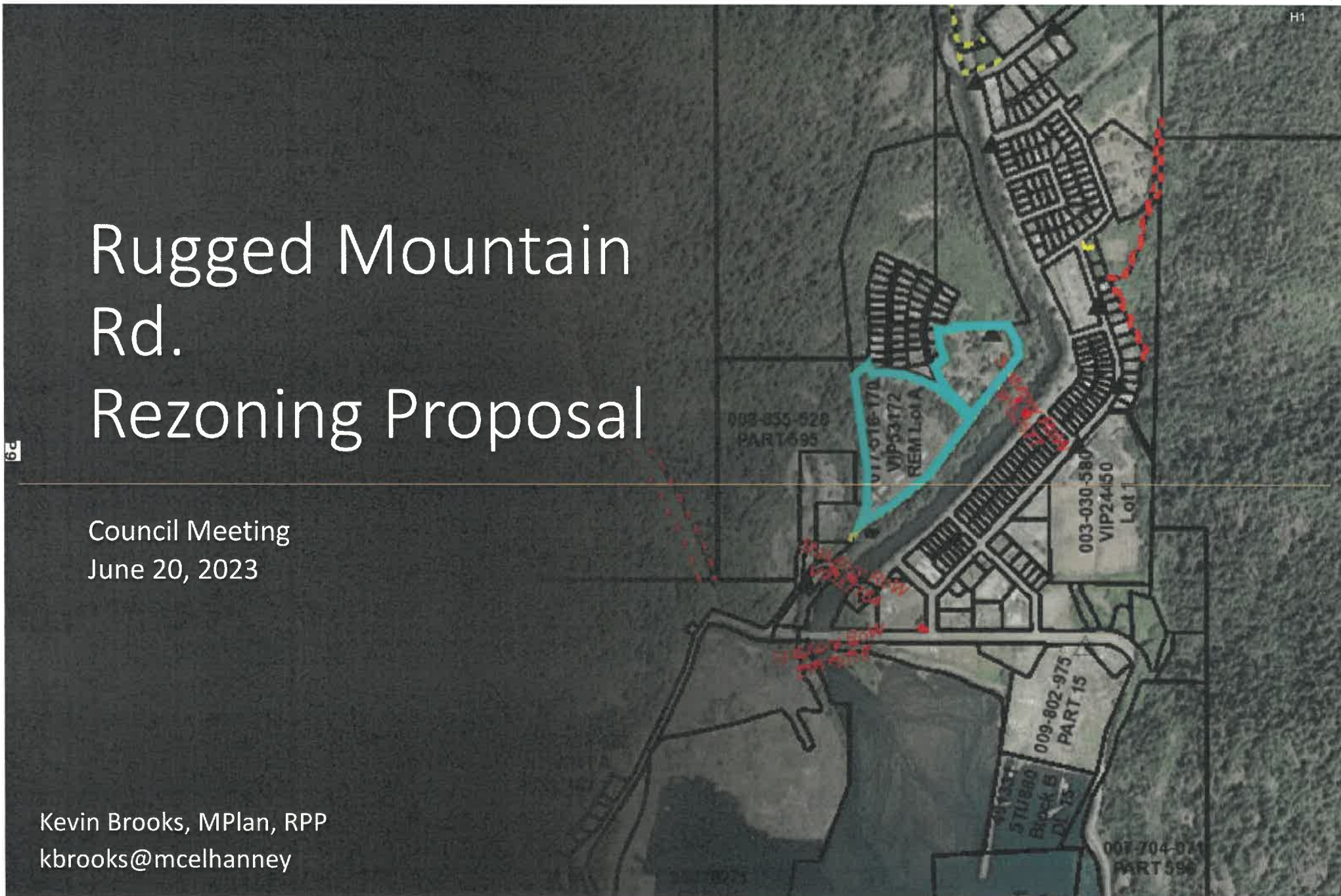


Mark Tatchell, CAO

Rugged Mountain Rd. Rezoning Proposal

Council Meeting
June 20, 2023

Kevin Brooks, MPlan, RPP
kbrooks@mcelhanney



Proposal

To rezone to allow for the permanent residency of Recreational Vehicles and Tiny Homes within the existing mobile home park.



Official Community Plan

- Property is designated Residential under the OCP



Key Considerations

- Housing Affordability Policies
- Rental Housing Policies
- Residential Designation Policies
- Falls within the Anthropogenic Hazard DP area

Zoning

- Property is zoned RM-2

Principal Uses	Accessory Uses
mobile homes	<ul style="list-style-type: none"> accessory building or structure community care facility home-based business professional occupation urban agricultural use
Minimum Setbacks	
<p>A seven point five (7.5) metre minimum yard shall be maintained along all exterior property lines in a mobile home park.</p> <p>No mobile home shall be located within seven (7) metres of another mobile home.</p> <p>No part of any mobile home, or any addition or accessory building shall be located:</p> <ol style="list-style-type: none"> within two (2) metres of an internal access road right-of-way or common parking area; within two (2) metres of rear and side mobile home space lines. 	
Maximum Density	
Mobile home park	20 dwelling unit per hectare
Maximum Height	
All buildings and structures	10 metres
Maximum Lot Coverage	
Mobile home and additions to it (exclusive of carport)	35%
Addition to a mobile home (exclusive of carport and/or patio)	20%
Minimum Lot Size and Lot Frontage	
Minimum area	325 square metres
Minimum frontage when abutting an internal roadway right-of-way	12 metres
Minimum frontage when abutting a cul-de-sac or panhandle mobile home space	6 metres (unless otherwise approved by Council)
Conditions of Use	
<p>4) Mobile Home Space/Lot</p> <ol style="list-style-type: none"> each mobile home space shall be clearly marked off by suitable means; all mobile home spaces shall be properly drained, clearly numbered and have a clearly discernible mobile home pad of compacted gravel or be surfaced with asphalt or concrete pavement; no more than one mobile home shall be located on a mobile home space. <p>5) Street Parking</p>	

Key Considerations

- Should amenities be required as a condition of zoning?
- Should there be a maximum number of RVs/Tiny Homes versus mobile homes permitted?
- How should “permanent” residency be confirmed and controlled?

Summary

- The proposal is consistent with the OCP.
- The proposal would enable the use of RV and similar design temporary housing options (Tiny Homes) for permanent residency.
- Council can require conditions of the rezoning to encourage permanent residency.

Questions ?





ZONING AMENDMENT BYLAW No. XXXXX, 2023 - A BYLAW TO AMEND ZONING BYLAW XXXX RM-2 ZONE TO PERMIT PERMANENT RESIDENCY OF RECREATIONAL VEHICLES.

WHEREAS Section 479 of the *Local Government Act* allows a local government to create different zones and regulate uses, density, and siting within each zone;

NOW THEREFORE, the Council of the Village of Tahsis, in open meeting assembled, enacts the following:

Short Title

1. This bylaw may be cited for all purposes as the "Village of Tahsis Zoning Amendment Bylaw No. XXXX, 2023".

Administrative Provision

2. If any section, subsection, sentence, clause or phrase in this bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the decision shall not affect the validity of the remaining portion of the bylaw.

Text Amendments

1. The text of the Village of Tahsis Zoning Bylaw No. 630, 2020 is hereby amended as follows:
 - 1.1 Amend Section 2.1 (2) to add the following definitions:

Permanent Residency means a structure or dwelling that is occupied for at least 240 days in a calendar year.

Tiny Home means a single dwelling unit intended for permanent residency that includes the basic amenities of a permanent home including a kitchen, washroom and sleeping area, is less than 47 m² and can be mobile (on wheels),

or with a temporary or permanent foundation. This includes a recreational vehicle used for permanent residency that is sited on a permanent pad with full services.

1.2 Amend Table in Section 5.5 Residential Multiple Zone Two (RM-2) as follows:

1.2.1 Add tiny home under Accessory Use

1.2.2 Add the following under Minimum Setbacks

Minimum Setbacks
4) Where new tiny home sites are permitted the following is required: <ul style="list-style-type: none"> • Front – 5.0 metres • Rear - 2.0 metres • Side - 1.5 metres

1.2.3 add the following under Minimum Lot Size and Frontage

Minimum Lot Size and Lot Frontage	
Minimum area	Mobile home - 325 square metres Tiny Home/RV – 175 square metres
Minimum frontage when abutting an internal roadway right-of-way	Mobile home - 12 metres Tiny Home – 6 metres

1.2.4 add the following Conditions of Use

Conditions of Use
7) Tiny Home Provisions <ul style="list-style-type: none"> a) The maximum density of Tiny Homes will be less than 50 % of the total pads within the park. b) Any Tiny Home located within an RM-2 zone must be on a permanent pad as follows: <ul style="list-style-type: none"> • Pad must be dust free permanent pad of gravel, cement or asphalt • Each pad must be provided with full year-round services c) Where a laundromat is provided the following is permitted: <ul style="list-style-type: none"> • Up to 65% of the total pads within an established mobile home park can be tiny homes

Adoption

This Bylaw shall come into force and take effect upon the date of final adoption by the Council of the Village of Tahsis

READ A FIRST TIME THIS xxth DAY OF xxxx 2023.

READ A SECOND TIME THIS xxth DAY OF xxxx 2023.

A PUBLIC HEARING IN RESPECT OF
THIS BYLAW WAS HELD ON THE xxth DAY OF xxxx 2023.

READ A THIRD TIME THIS xxth DAY OF JULY 2023.

APPROVAL PURSUANT TO SECTION 52
OF THE *TRANSPORTATION ACT*
RECEIVED ON xxxth DAY OF JULY
2023.

ADOPTED THIS xxxth DAY OF JULY 2023.

MAYOR

CORPORATE OFFICER

I hereby certify that the foregoing is a true and correct copy of the original Bylaw
No. xxxx, 2023 duly passed by the Council of the Village of Tahsis on this

_____ day of _____, 2023.

CORPORATE OFFICER

VILLAGE OF TAHSIS

Report to Council

To: Mayor and Council

From: Chief Administrative Officer

Date: September 8, 2023

Re: Tahsis Flood Protection Improvement Project – Phase 2, Change Order
(riverbank footpath)

PURPOSE OF REPORT:

To provide Council with scope details, cost estimate and financial implications for this change order.

OPTIONS/ALTERNATIVES

1. Approve the change order to construct the footpath as per the proposed quantities supplied by Upland.
2. Request a cost estimate from Upland to construct a fully wheelchair accessible footpath along the riverbank.
3. Do not approve the change order to construct the footpath.
4. Any other option that Council deems appropriate.

BACKGROUND:

At its May 23rd committee of the whole meeting, Council passed the following resolution:

Joseph: COW 031/2023

THAT the reinforced concrete wall and slab for the metal stairs over the dike for public access to the Tahsis River Front be included in the scope of the tender as per the original tender.

CARRIED

The cast-in-place wall and metal stairs are included in the Village's contract with Upland. This is not an optional item.

Council did not discuss or consider construction of a footpath along the riverbank at the May 23rd meeting (as per staff's review of the meeting transcript).

Subsequently, the Mayor asked that the project scope be revised to include a footpath along the riverbank. It has also be recommended that the path be wheelchair accessible (which is not in the current scope).

Upland supplied the following scope and budget for constructing the footpath:

- \$31,000 for 100 tonnes of 3" fractured quarry rock (for path construction over riprap areas)
- Construct trail between section 1 and 2 (Cook St. to Quadra St) which would tie the rip rap zones into the stairway at Brabant Crescent (\$22,000).
- Trail construction includes grubbing the existing grass, supply and installation of 150mm of blue chip fines approximately 1m in width.

No construction of the path has begun.

POLICY/LEGISLATIVE REQUIREMENTS:

1. Procurement Policy No. 2010, 2018

FINANCIAL IMPLICATIONS:

The current projected cost overrun for this project is \$339,000. The project cost overrun would be \$392,000 if this change order, as scoped, is approved. Some savings are expected as the excavation costs are lower than budgeted, however, those savings have not yet been calculated. Staff hope to have an updated project budget for Council at the September 12th committee of the whole meeting.

The Village's ability to fund future contingencies in this project and other capital projects is reduced if more or all of the GCF fund dollars are committed. The Village has other sources of revenue to fund capital projects, which are included the 5 year rolling capital plan which forms part of the financial plan bylaw adopted by Council.

The cost overrun for this project is funded by the Growing Communities Fund (\$650,000). Most of the GCF has been committed for current planned projects.

One time Grant GCF	\$ 650,000
<u>Use of funds Earmarked by Council</u>	
Projected Cost overruns Community Pier & Dock	\$ (200,000)
Projected Cost overrun - Flood mitigation Phase 2	\$ (339,000)
Flood pump Shelter	\$ (15,000)
Purchase of parcel of Land for Flood mitigation Phase 3 & Waste Water Treatment	\$ (47,000)
Remaining Funds	\$ 49,000

STRATEGIC PRIORITY:

N/A

RECOMMENDATION:

Respectfully submitted:

Mark Tatchell, CAO