



AGENDA
Public Hearing
Tuesday, February 14, 2017
George Fraser Room, Ucluelet Community Centre, 10:00 AM

Page

1. CALL TO ORDER
2. EXPLANATION OF PUBLIC HEARING PROCESS
 - 2.1. Rules Governing Public Hearing
 1. As provided for in the Local Government Act, the Council is required to hold a Public Hearing before adopting an Official Community Plan Bylaw, Zoning Bylaw or amendments thereto.
 2. At a Public Hearing all persons who deem their interest in property affected by the proposed bylaws shall be afforded an opportunity to be heard on matters contained in the bylaw.
 3. The Council may give such effect, as it deems fit, to representations made at a Public Hearing, in the bylaws as adopted.
 4. At a Public Hearing the Council is under no obligation to enter into a debate on any issue. The purpose of a hearing is to hear representations, which will later be considered by the Council in the meeting.
3. PUBLIC HEARING - ZONING AMENDMENT BYLAW NO. 1211, 2016
 - 3.1. Presentation of Bylaw No. 1211, 2016 3 - 4
[Zoning Amendment Bylaw No. 1211, 2016](#)
 - 3.2. Written Submissions for Bylaw No.1211, 2016 5 - 14
[Applicant Submission](#)
 - 3.3. Public Representations for Bylaw No. 1211, 2016
4. ADJOURNMENT

DISTRICT OF UCLUELET

Bylaw No. 1211, 2016

A bylaw to amend the "District of Ucluelet Zoning Bylaw No. 1160, 2013".

WHEREAS Section 479 and other parts of the *Local Government Act* authorize zoning and other development regulations;

NOW THEREFORE the Council of the District of Ucluelet, in open meeting assembled, enacts as follows;

1. THAT the property with legal description of P.I.D. 003-838-731, Lot: 5, Plan: VIP17976, District: 09, generally as shown highlighted in black on the Schedule 'A' attached to and forming part of this bylaw, be rezoned from R-1 Zone - Single Family Residential to GH Zone - Guest House and the Text and Zoning Maps of the District of Ucluelet Zoning Bylaw No. 1160, 2013 be amended accordingly.

2. This bylaw may be cited as "Zoning Amendment Bylaw No. 1211, 2016".

READ A FIRST TIME this 8th day of November, 2016.

READ A SECOND TIME this 8th day of November, 2016.

PUBLIC HEARING this day of , 20 .

READ A THIRD TIME this day of , 20 .

ADOPTED this day of , 20 .

CERTIFIED A TRUE AND CORRECT COPY of "District of Ucluelet Zoning Amendment Bylaw No. 1211, 2016."

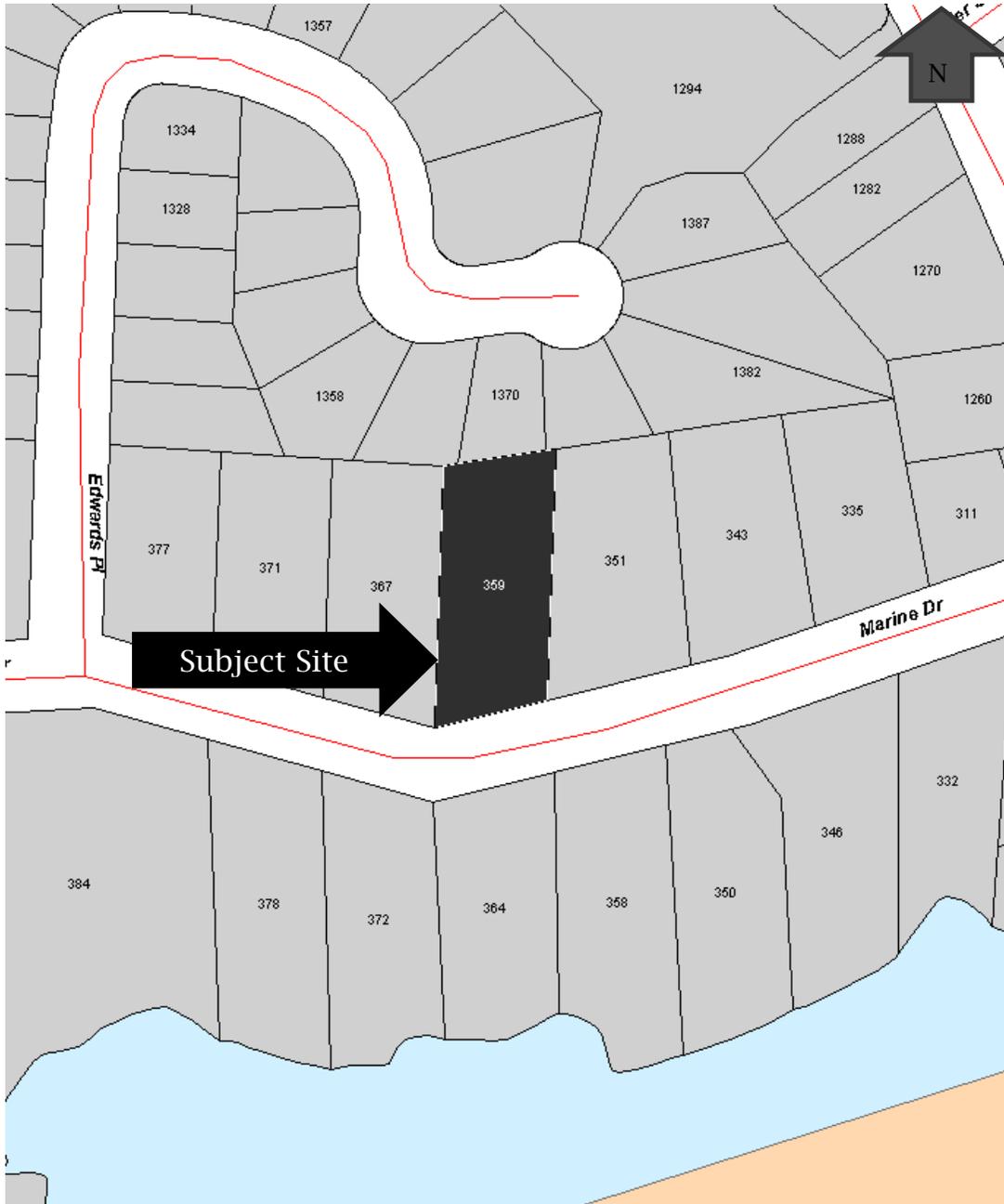
Mayor
Dianne St. Jacques

CAO
Andrew Yeates

THE CORPORATE SEAL of the District of Ucluelet was hereto affixed in the presence of:

CAO
Andrew Yeates

SCHEDULE 'A'
Bylaw No. 1211, 2016



Jason Hayes-Holgate
PO Box 1318
359 Marine Drive
Ucluelet, BC V0R 3A0

District of Ucluelet
PO Box 999
200 Main Street
Ucluelet, BC V0R 3A0

To Mr. John Towgood,

I am submitting this letter to address the support from our neighbours and concerns from the Saunderson's and Hasse's regarding our application for Guest House Zoning. The Public Hearing was held on December 13, 2016, which my wife, Tanya Elliott attended.

It was brought to my attention through discussions with Tanya and the article in the Westerly Newspaper (Wednesday December 21, 2016), that neighbours have concerns about the rezoning and more specifically the parking requirements.

We initially submitted the application for rezoning to the District of Ucluelet on October 6, 2016. It was then presented on November 8, 2016 to Council at a regular meeting, for first and second reading. At that meeting, we did not hear any concerns from any Council members regarding the application and/or the information provided. The Council unanimously passed the application through both 1st and 2nd readings.

At the Public Hearing (Dec. 13th) a letter from our neighbour and owner of Horizons West B&B Jennifer Nemis was read, supporting our application for Guest House Zoning. In addition, Tanya had spoken to several of our neighbours both on Marine Drive and Edwards Place and had gained signatures of support. Although, these were not presented at the Public Hearing, I have attached them with this letter for evidence of support.

It was expressed by an opposing neighbour that the change from Single Family Residence to Guest Housing would have a negative impact on the neighbourhood. Horizons West B&B, Bostrom's B&B, Little Beach Resort, Snug Cove B&B and several more within walking distance are successful businesses operating in our neighbourhood for the past 10 years and have had limited to no negative impact. They have contributed to the growing tourism economy in Ucluelet and supported other local businesses, thus showing us only a positive impact. We would like the opportunity to work alongside them in providing stellar accommodation which shows off our great town.

Our property meets the District's requirements at half acre to provide two guest cottages for rental and ample parking for all guests and residents of the property. The property can accommodate a minimum of seven (20 feet x 8 feet) designated parking spaces. Additional parking could be constructed if needed. Attached is a schematic of the property and how the guest cottages and parking would fit within the required setbacks and allowances provided by the District of Ucluelet's Zoning Bylaw. In addition, all buildings and parking are at the rear of the property and would not change the street appearance of the family residence thus adhering to Off-Street Parking Standards.

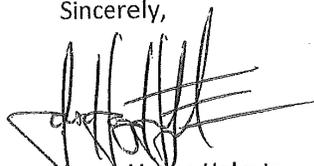
I also understand that the neighbouring house to the rear has concerns of noise and exhaust. Currently, we have old growth trees between our two properties and it is our intention to improve this greenspace with additional landscaping, trees and screening. Another benefit to changing the zoning to Guest Housing would be that the setback on the property is increased to fifteen feet (15'), thus increasing the distance between our two properties. Along with the removal of the existing outbuilding (workshop) to accommodate the new guest cottages this should alleviate our neighbours concerns.

We look forward to our application being accepted and stand by our initial intent. We still believe that this change would provide local craftsman and trades with temporary employment; contribute to the community by providing more housing for tourism; and increase the value of the property benefitting both the neighbourhood and the District of Ucluelet.

Should you require any further information or would like to speak with me directly, I may be reached either by email hayesholgatejason@gmail.com or by phone, home (250)726-2255, and cellular (604) 935-9010 or (604) 809-8894.

Thank you again.

Sincerely,



Jason Hayes-Holgate



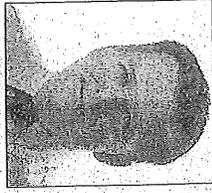
Tanya Elliott

Parking worries stall Marine Drive cottages

ANDREW BAILEY
andrew.bailey@westernjournal.ca

Tickets to Ucluelet's accommodation-provider paradise might be getting harder to come by.

Jayson Hayes-Holgate and Tanya Elliott are trying to



RANDY OLIVA

last week. In a letter to the district office, Hayes-Holgate suggested the development would create employment for local tradespeople and contribute to Ucluelet's economy by "providing more housing for tourism."

Before the cottages can be built though, council needs to allow the property to move out of its Single Family Residential zone and into a Guest House zone. "Under the proposed zoning, the subject lot would support six guestrooms—similar to B&B rooms—within the Single Family Dwelling and two guest cottages," wrote Ucluelet's Planner 1 John Towgood in a report to council.

Council heard both support and opposition to the move during a Dec. 13 public hearing.

Jennifer Nemmis, who owns a neighbouring property, expressed "no concerns or issues," and encouraged council to let the proposal move ahead.

"We could be looking at six parking spots as well as the residence and we don't even have a parking scheme for this."

Randy Oliwa

Avid and Sue Hasse though, who live directly behind the property, weren't so keen.

"We feel that allowing this property to be zoned GH will definitely have a negative impact, not only on the neighbourhood but our house in particular," they wrote.

"We are already affected by noise and fumes from this property as their backyard currently serves as a parking lot for their diesel truck. We feel that the increased traffic from a guesthouse will only serve to make the noise and fumes unbearable."

Tanya Elliott said she and Hayes-Holgate have heard more kudos than concerns about their plan.

"I have canvassed the neighbourhood two or three times and I do have a great amount of support in making the changes," Elliott said. "I have spoken to several neighbours on the street and they don't object to it at all, actually, they encourage it. They'd like to see more rentals or accommodations available to tourists coming into Ucluelet."

She added a workshop on the property, which she suggested is a likely source of the Hasses's noise-frustration, would be

taken down if the cottages were built.

"The mill work and carpentry work that is currently being done in the backyard, by my husband, would no longer be on the property, so the noise from that would be eliminated," she said.

Area resident Tom Saunderson noted the new zoning would not only allow for two cottages to be built, but four guestrooms inside the property's primary residence as well.

"They've indicated that they don't plan on doing the guestrooms, just the cottages. But, in the future, if they were going to do that or if a future owner decides to do that, it's zoned guesthouse, there's no going back," Saunderson said expressing concerns over where guests would park.

Elliott said only one room in the residence would potentially be open for guests.

"I don't want this to be an invasion for our residence," she said.

Coun. Randy Oliwa said the district doesn't have a firm grasp on its bylaw enforcement and "all the associated costs and implications of this boom that we're having in Ucluelet."

"It's going to take us another year to really get that all nailed down and it's not going to be without hiccups," he said. "Rezoning, especially going from residential to more of a commercial application, has been a very hot topic in Ucluelet, actually pretty much everywhere."

He added he had not heard a ringing endorsement from the neighbourhood.

"We've had numerous rezonings come through here over the last little bit and that

weighs heavy on us, on neighbours, communities and neighbourhoods," he said. "It's not a matter of pitching residential properties against residential properties. The decisions we make here tonight go on long after those neighbours are neighbours in some regard...I'm just not feeling the overwhelming acceptance that we've had at a lot of the other rezonings for this application."

Coun. Marilyn McEwen noted Elliott claimed to have her neighbours' support but, without official letters from those neighbours, council couldn't be sure.

"It would be great to have more documentation to that effect," she said.

Oliwa suggested the district's staff had failed to give council enough information to act.

"We have to think of the worst case and the best case scenario for a rezoning," he said. "We could be looking at six parking spots as well as the residence and we don't even have a parking scheme for this."

Mayor Dianne St. Jacques agreed and questioned why staff had not done a more thorough investigation before council was tasked to make a decision.

"When we get rezoning applications like this, wouldn't it be part of the process to have a bit of a plan in place for us to approve to see how this is going to work," she asked.

District CAO Andrew Yeates responded council could stall on making a decision and ask staff to present a more detailed report at a future meeting, which council unanimously voted to do.

Jason Hayes-Holgate
PO Box 1318
359 Marine Drive
Ucluelet, BC V0R 3A0

District of Ucluelet
PO Box 999
200 Main Street
Ucluelet, BC V0R 3A0

To Mr. John Towgood,

I am submitting this letter of intent with my application for the rezoning of my Ucluelet property. I currently have single-family zoning and my intent is to rezone to a guest housing designation. The rezoning to guest housing would provide additional income for my family, boosting our local economy and helping to maintain our residency here in the place we call home.

Should this application be approved, we would utilize and develop our property further by building guesthouses and complete landscaping. Which, in turn, would potentially provide local craftsman and trades with temporary employment; contribute to the community by providing more housing for tourism; and increase the value of the property benefitting both the neighbourhood and the community.

Our property meets the districts requirements for guesthouse zoning as it is more than 0.5 acres. Additionally, any new dwellings will be located away from all public easements and will not be visible from the road. This will provide privacy for our guests and maintain the quiet and peaceful enjoyment of property for our neighbours.

I thank you for your careful consideration of this application. Please let me know what the next steps are to complete this request of rezoning. We are excited to move forward and work towards a brighter future here in Ucluelet.

Should you require any further information or would like to speak with me directly, I may be reached either by email [redacted] or by phone, home (250)726-2255, cellular (604) 935-9010.

Thank you again.

Sincerely,



Jason Hayes-Holgate

NOTICE OF PUBLIC HEARING – December 13, 2016 at 7pm

Ucluelet Zoning Amendment Bylaw No. 1211, 2016 proposes to amend The District of Ucluelet Zoning Bylaw 1160, 2013 by:

- Changing the Zoning designation of Lot: 5, Plan: VIP17976, District: 09, P.I.D. 003-838-731, from R-1 Zone – Single Family Residential to GH Zone – Guest House.

Civic Address 359 Marine Drive, Ucluelet, BC

As our neighbour, we would like your support to change our current zoning from R-1 Zone – Single Family Residential to GH Zone – Guest House.

Jason Hayes-Holgate and I, (Tanya Elliott) have every intention of making the transition to this new zoning as simple and non-intrusive as possible. We appreciate that there will be concerns with Guest Housing and we are willing to address these concerns before the Public Hearing.

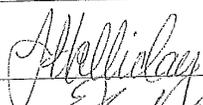
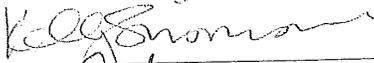
- Buildings will be within the required allowances of the property
- Guest parking is not visible from the street and is secured on our property
- Privacy and Noise concerns between adjacent neighbours will be addressed with new landscaping, and fencing, if necessary

If there are any other concerns, issues or oppositions to the Rezoning, list them here:

*Limit to 2 400 sq. ft. max. cottages only
concerns for noise in summer, but I'm sure we can communicate
& we haven't had problems w/ the other B+B's.*

If you are NOT opposed to us Rezoning our property and **SUPPORT** our decision, please sign below:

Print Name	Address	Signature
1 Bruce Forrest Barbara Forrest	372 Marine Drive	<i>Bruce Forrest</i> <i>Barbara Forrest</i>
2 JUDY GOLD Jack GOLD	378 MARINE DR.	<i>J. Gold</i> <i>J. Gold</i>
3 Judy Bastman	358 Marine Dr.	<i>Judy Bastman</i>
4 Heather Ruddick	1382 Edwards Pl.	<i>Heather Ruddick</i>

Print Name	Address	Signature
5 Leandra Lock	343 Marine drive	
6 Terry Christensen	335 Marine Dr	
7 Karielene Holliday	311 Marine	
8 Erik Larsen	332 Marine	
9 Kelly Simonson	350 Marine Dr.	
10 Bill Irving	371 MARINE DR.	
11 Karen Marckyk	351 Marine Dr.	
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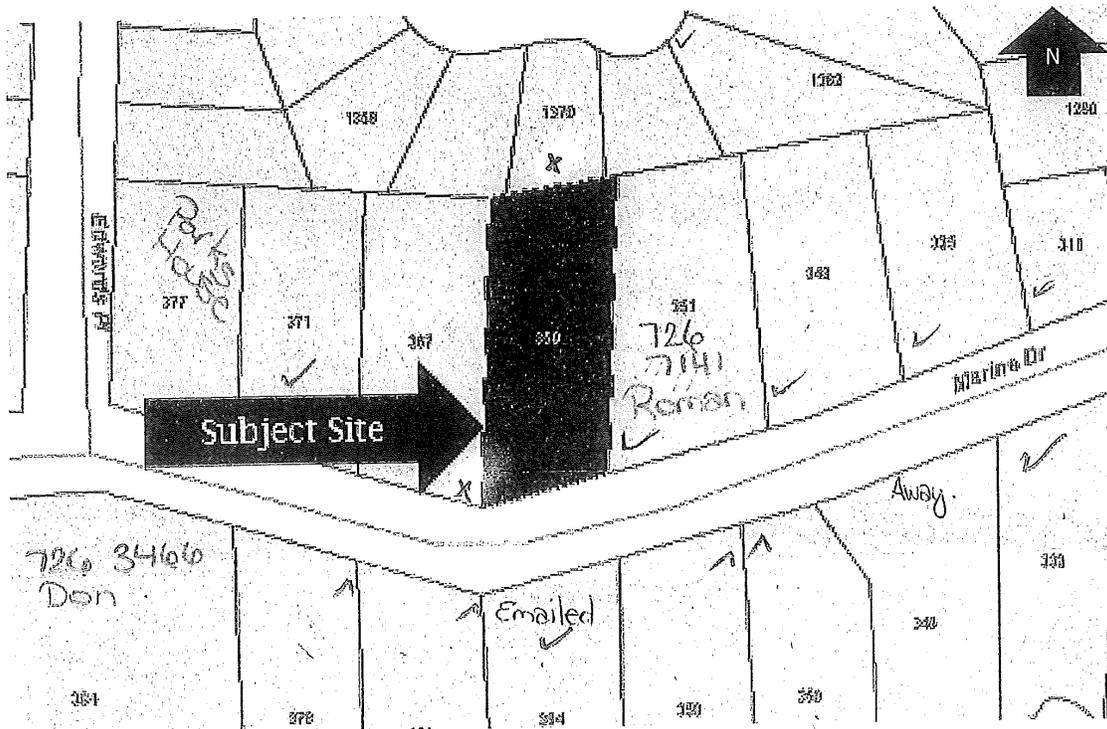
November 22nd, 2016

NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing, pursuant to Sections 464 and 466 of the Local Government Act, will be held at the Ucluelet Community Centre, located at 500 Matterson Drive, Ucluelet B.C., on December 13th, 2016 commencing at 7:00 p.m.

Ucluelet Zoning Amendment Bylaw No. 1211, 2016 proposes to amend The District of Ucluelet Zoning Bylaw 1160, 2013 by:

- changing the Zoning designation of Lot: 5, Plan: VIP17976, District: 09, P.I.D. 003-838-731, from R-1 Zone - Single Family Residential to GH Zone - Guest House



Anyone who believes the proposed bylaw will affect their interests will be given an opportunity to be heard at the public hearing. Inquiries, comments and concerns may also be directed to District of Ucluelet's Planning Department by telephone at (250)-726-4770 or email: jtowgood@ucluelet.ca. Written submissions may also be mailed to the District of Ucluelet, P.O. Box 999, Ucluelet B.C., V0R 3A0, or faxed to (250)-726-7335, but must be received before the commencement of the Public Hearing. A copy of the proposed bylaw and other relevant information may be inspected at the District of Ucluelet office at 200 Main Street from 8:30 a.m. to 4:00 p.m. weekdays except statutory holidays.

From: Jennifer Nemis
Sent: January 4, 2017 10:27 AM
To: aivilo-tani@hotmail.com
Subject: FW: RE: Ucluelet Zoning Amendment Bylaw No. 1211
Importance: High

From: Jennifer Nemis [mailto:info@horizons-west.com]
Sent: December 5, 2016 4:31 PM
To: 'jtowgood@ucluelet.ca' jtowgood@ucluelet.ca
Bcc: 'aivilo-tani@hotmail.com'
Subject: RE: Ucluelet Zoning Amendment Bylaw No. 1211
Importance: High

Amendment to The District of Ucluelet Zoning Bylaw 1160 :

Hi John,

My name is Jennifer Nemis and I live at 364 Marine Drive in Ucluelet. I am Tanya & Jason Hayes-Holgate's direct neighbour.

I just wanted to write a letter in **Full Support** of the proposed amendment to the zoning bylaw, with no concerns or issues. We sincerely hope and encourage the district to consider their application for re-zoning from R-1 Zone (Single family residential) to GH Zone (Guest House).

Thank you in advance, for your consideration.

Sincerely,
Jennifer Nemis

Horizons West
364 Marine Drive
P.O Box 339
Ucluelet,BC
V0R 3A0
info@horizons-west.com
www.horizons-west.com
Bus: 250-726-2271
TF: 1-877-726-2271

