



PUBLIC HEARING
Tuesday, December 11, 2018 @ 7:00 PM
George Fraser Room, Ucluelet Community Centre,
500 Matterson Drive, Ucluelet

AGENDA

	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 their regular meeting.	
5. Following the Public Hearing, Council will not accept further communications or presentations from the public or the applicant respecting this bylaw.	
3. NOTICE OF PUBLIC HEARING	
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RZ18-06 - Notice of Public Hearing	
4. PUBLIC HEARING - DISTRICT OF UCLUELET ZONING BYLAW AMENDMENT BYLAW NO. 1239, 2018	
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Bylaw 1239 - Zoning Bylaw Amendment Bylaw (1672 Cedar Road)	
4.2. Reports and Materials for Bylaw No. 1239	7 - 12
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4.4. Public Representations for Bylaw No. 1239, 2018	
5. ADJOURNMENT	

NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held at the Ucluelet Community Centre, located at 500 Matterson Drive, Ucluelet B.C., on **December 11th, 2018**, commencing at **7:00 p.m.** on the following proposed Bylaw to amend the District of Ucluelet Zoning Bylaw No. 1160, 2013 (the “**Zoning Bylaw**”) pursuant to Sections 464 and 466 of the Local Government Act.

Ucluelet Zoning Amendment Bylaw No. 1239, 2018

In general terms the purpose of the proposed bylaw is to amend the Zoning Bylaw to allow a combined residential/commercial use on the ground floor of a proposed mixed-use building located at 1672 Cedar Road as follows:

“CS-1.1.3 On the following properties, residential use is also permitted on the first storey provided the building or part thereof also contains commercial use(s) otherwise permitted in this Zone in accordance with the condition so noted below:

(3) PID 006-167-926 Lot D, District Lot 282, Clayoquot District Plan VIP4011 [1672 Cedar Road], the exclusively commercial use measuring an area not less than 28m² (15' x 20') on the first storey at the front of the building.”



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 close of the Public Hearing. Submissions received after the Public Hearing can not be accepted. Written submissions must include your name and street address and will be considered part of the public record pursuant to the Freedom of Information and Protection of Privacy Act. A copy of the proposed bylaw and other relevant information may be inspected at the District of Ucluelet office at 200 Main Street from the date of this notice until the public hearing, between the hours of 8:30 a.m. to 4:00 p.m. weekdays except statutory holidays.

DISTRICT OF UCLUELET

Zoning Bylaw Amendment Bylaw No. 1239, 2018 (1672 Cedar Road)

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

WHEREAS the District of Ucluelet Council by Bylaw No. 1160 adopted the Zoning Bylaw and now deems it appropriate to amend the Zoning Bylaw;

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

1. That Section CS-1.1.3 of Zoning Bylaw 1160, 2013 (the “Zoning Bylaw”) be amended by deleting and replacing this text such that this section reads as follows:

“CS-1.1.3 On the following properties, residential use is also permitted on the first storey provided the building or part thereof also contains commercial use(s) otherwise permitted in this Zone in accordance with the condition so noted below:

(1) PID 007-073-267 Lot 9, District Lot 282, Clayoquot District, Plan 1686 [286 Main Street], the exclusively commercial use on the majority of that first storey and fully occupying the front of the building.

(2) PID 005-117-861 Lot 13, District Lot 282, Clayoquot District, Plan 11055 [1766 Cypress Road], the exclusively commercial use measuring an area not less than 9.7 m² (11 ‘ x 9.5’) at the front of the building.

(3) PID 006-167-926 Lot D, District Lot 282, Clayoquot District Plan VIP4011 [1672 Cedar Road], the exclusively commercial use measuring an area not less than 28m² (15 ‘ x 20’) on the first storey at the front of the building.

2. This bylaw may be cited for all purposes as the “District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1239, 2018.

READ A FIRST TIME this **13th** day of **November, 2018.**

READ A SECOND TIME this **13th** day of **November, 2018.**

PUBLIC HEARING held this day of , **2018.**

READ A THIRD TIME this day of , **2018.**

ADOPTED this day of , **2018.**

CERTIFIED A TRUE AND CORRECT COPY of “District of Ucluelet Zoning Bylaw
Amendment Bylaw No. 1239, 2018.”

Mayco Noël

Mayor

Mark Boysen

Corporate Officer

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

Mark Boysen

Corporate Officer

FROM: JOHN TOWGOOD, PLANNER 1

REF No: RZ18-06 **FOLIO No:** 174.000 **FILE No:** 3360-20

SUBJECT: APPLICATION TO AMEND ZONING BYLAW No. 1160, 2013 (1672 CEDAR ROAD) **REPORT No:** 18-109

ATTACHMENT(S): APPENDIX A –APPLICATION

APPENDIX B – ZONING BYLAW AMENDMENT BYLAW No. 1239, 2018

RECOMMENDATION:

1. **THAT** District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1239, 2018 be given first and second reading and advanced to a public hearing.

PURPOSE:

To provide Council with information on an application to amend Zoning Bylaw No. 1160, 2013 (the “**Zoning Bylaw**”) to allow a combined residential/commercial use on the ground floor of a proposed mixed use building located at 1672 Cedar Road, PID 006-167-926, Lot D, Plan VIP4011, District 09 (**Figure 1**).



Figure 1 - Subject Lot

BACKGROUND:

On July 11th, 2017 Council approved a development permit (DP) and development variance permit (DVP) for 1672 Cedar Road (The “**Subject Property**”) for a Mixed-use building consisting of 9

Multiple Family Residential (MFR) Units and 640sf of ground floor commercial space. The applicant, after completing the full design and engineering for the building, determined that the building size needed to be scaled down to make the project viable. On June 26th, 2018, the applicant requested to amend the July 11th DP to reduce the residential component from 9 suites to 8 suites and increase the commercial component by 130sf. This DP amendment was granted. The applicant has now requested that the zoning bylaw be amended to allow what is currently a ground floor commercial only unit to be a “Work/Live” or a combined commercial/residential unit (Figure 2).

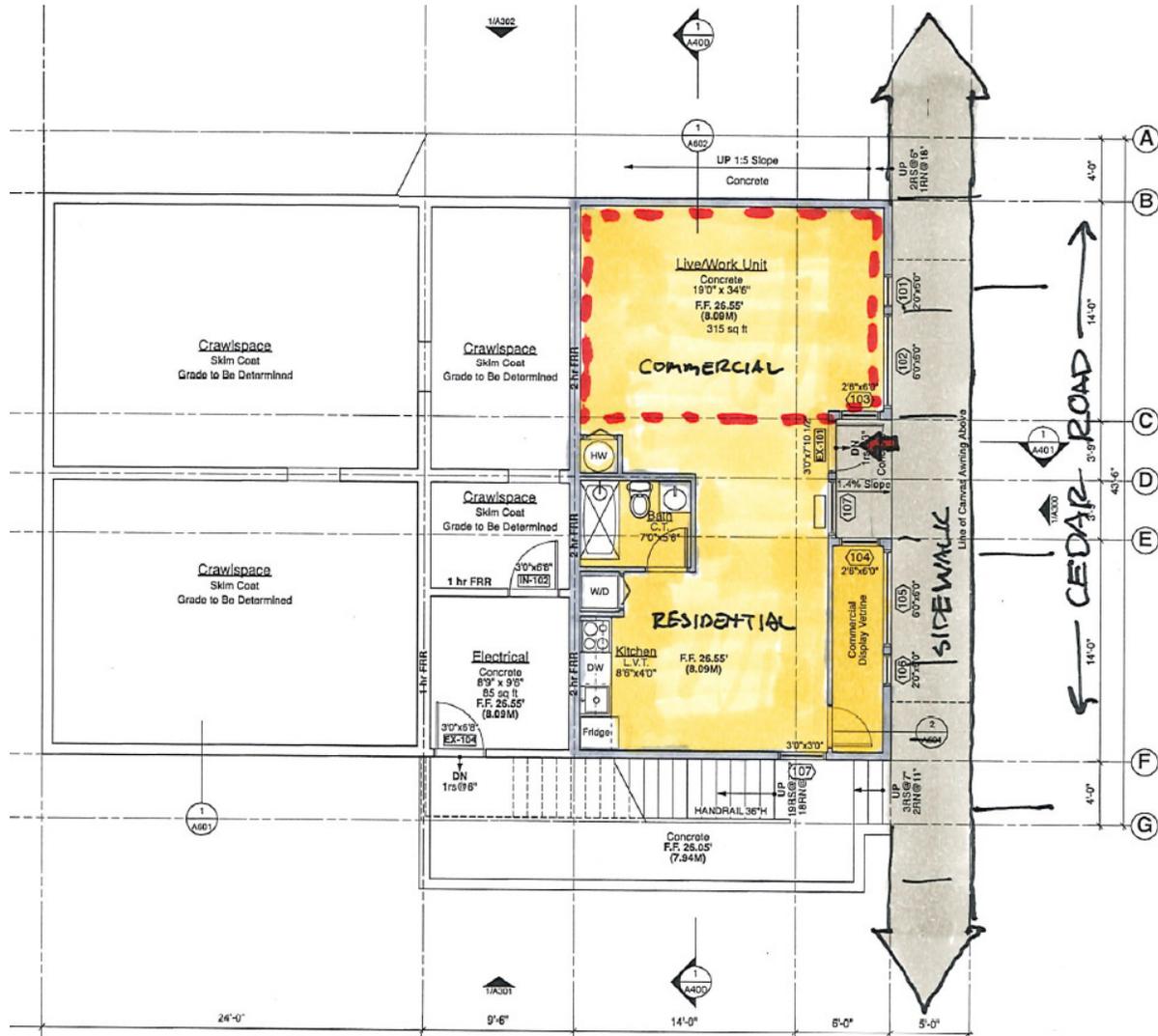


FIGURE 2 – UNIT PLAN

DISCUSSION:

The subject property is located in the CS-1 Zone – Village Square Commercial. This area is intended to be Ucluelet’s core or intensive commercial area. For this type of commercial area, it is important that there is a continuity of commercial uses to keep the street active and vibrant. Gaps in a streetscape such as an empty lot, a boarded-up shop, a parking lot, or a non-conforming residential dwelling can work against the success of the area as a commercial destination. It is also important that the village core increase in residential density. An increase in density can add residential

housing options, encourage the walkability or foot traffic within the community, and add to activeness and vitality of the village core. To encourage both the commercial continuity and the residential density, the zoning bylaw allows a mixed use that requires the ground floor to be commercial (maintaining the commercial continuity) while allowing residential uses on second storey and above (allowing for an increased density). The following is the zoning definition for “Mixed Commercial/Residential”:

“Mixed Commercial/Residential” means the use of a building containing a combination of:

- (a) commercial uses that are otherwise permitted within the Zone on any storey, including commercial tourist accommodation uses not on the first storey, and
- (b) residential uses located exclusively at the second storey or higher, unless otherwise specified in a particular Zone;

The applicant has requested to amend the zoning bylaw to allow for a mixed residential commercial unit on the ground floor. This mixed use within a unit is allowed in other communities, usually know as a “Live /Work” use. For example, Tofino has a recent development called “The Gateway” which is the traditional Live/Work concept:



Figure 3 – The Gateway

The “Live/Work” use in this instance has been a good addition to Tofino’s land use fabric. The building is setback from the street with strong landscaping and it is located in an area that is a transition from service commercial to Tofino’s more intense commercial area. The proposed Cedar Road location is a different setting, the building is located solidly in the village core and the unit has a zero setback from the street. If the area was completely built out in a commercial context a reduction in commercial intensity that a live/work unit represents would not be desirable. But that is not the case; the area is just starting to transition from a traditional residential context. Staff do

not consider a proliferation of a ground floor mixed uses as positive, but a single instance of a mixed-use unit could be a step in the right direction. Staff consider the best approach for the zoning amendment would be to spot zone the property with a text amendment similar to what already occurs within the CS-1 zone. The following is the proposed amendment with the changes shown in green and red:

*“CS-1.1.3 On the following properties, residential use is also permitted on the first storey **of existing buildings** provided the **existing building or part thereof** also contains commercial use(s) otherwise permitted in this Zone in accordance with the condition so noted below:*

(1) PID 007-073-267 Lot 9, District Lot 282, Clayoquot District, Plan 1686 [286 Main Street], the exclusively commercial use on the majority of that first storey and fully occupying the front of the building.

(2) PID 005-117-861 Lot 13, District Lot 282, Clayoquot District, Plan 11055 [1766 Cypress Road], the exclusively commercial use measuring an area not less than 9.7 m² (11 ' x 9.5') at the front of the building.

(3) PID 006-167-918 Lot C, Plan VIP4011 Clayoquot District [1656 Cedar Road], the exclusively commercial use measuring an area not less than 28m² (15 ' x 20') at the front of the building.

ZONING:

The proposed building size and configuration did not change therefore setbacks, height and density requirements will not be affected. The parking requirement for the unit will also stay the same with two parking spaces required for the commercial only unit compared to one parking space for the 28m² of commercial area and one parking space for the residential unit.

TIME REQUIREMENTS – STAFF & ELECTED OFFICIALS:

Should the application proceed, staff time will be required to prepare and process this Zoning Bylaw Amendment including giving notice of a Public Hearing.

FINANCIAL IMPACTS:

There may be a modest drop in taxation for the unit as a result of the reduction of commercial space. Exactly how the BC assessment authority would approach the proposed mixed unit is not clear.

POLICY OR LEGISLATIVE IMPACT:

The Official Community Plan (OCP) contemplates mixed uses and the proposed zoning change is considered consistent with the OCP.

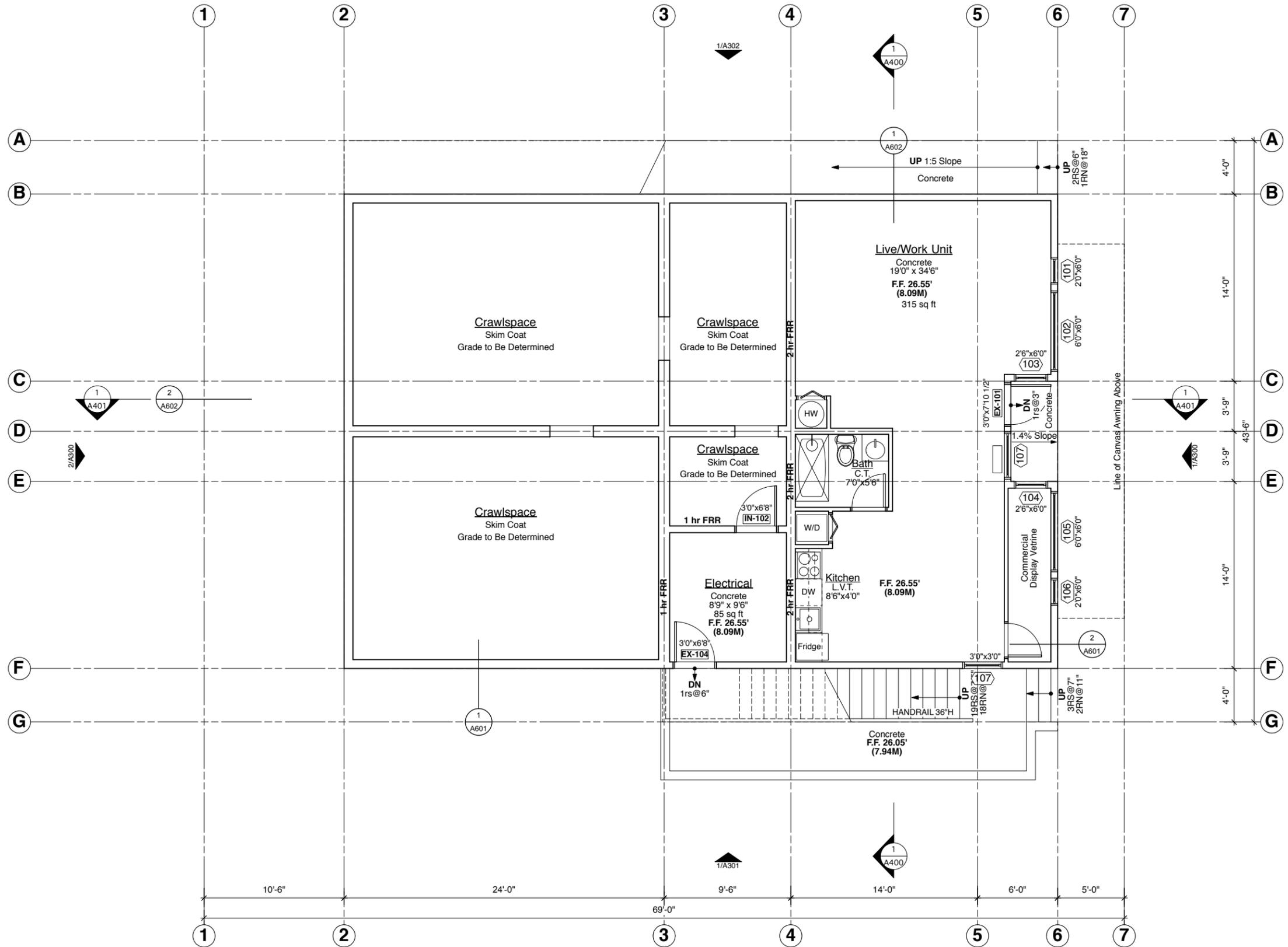
SUMMARY:

The proposed zoning amendment represents a reduction to the intensity of the commercial activity along the frontage of the subject property but considering that area is in transition, the proposed mixed-use unit could represent a good first step in the area's revitalization.

OPTIONS REVIEW:

1. THAT District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1239, 2018 be given first and second reading and advanced to a public hearing. **(Recommended)**
2. THAT Council defer the current request to seek further information from the applicant; or,
3. THAT Council determine that Bylaw No.1239 should not proceed further.

Respectfully submitted: John Towgood, Planner 1
Bruce Greig, Manager of Planning
Mark Boysen, Chief Administrative Officer



NO.	REVISION	DATE
1	Client Review	31/05/2018
2	Client Review	18/07/2018
3	Consultant Review	20/08/2018
4	Re-Zoning	26/09/2018
5	Consultant Co-ordination	27/09/2018

NOTE:
 This set of drawings and the design as shown remain the property of Helliwell + Smith Blue Sky Architecture Inc. Contractor and all sub-trades shall verify all dimensions on site. Do not scale these drawings. Report any discrepancies to Helliwell + Smith Blue Sky Architecture Inc.
 Contractor shall be responsible for all conditions on the job and shall notify this office of any variations of the conditions immediately. All work completed on site to conform to the British Columbia Building Code 2012.

PROJECT
THE WAVE
 1672 Cedar Road
 Ucluelet, BC

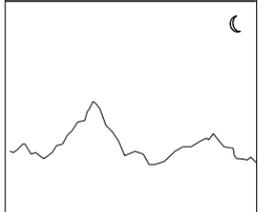
SHEET TITLE
Street Level Floor Plan

DRAWN BY SG/KS/JR

SCALE 1/4" = 1'-0"
 (scales on 22"x34")

FIRST ISSUED

CHECKED BY KS/BH



**HELLIWELL + SMITH
 BLUE SKY
 ARCHITECTURE
 INC.**

4090 BAYRIDGE AVE.
 WEST VANCOUVER
 BRITISH COLUMBIA
 CANADA, V7V 3K1

PHONE (604) 921-8646
 FAX (604) 921-0755

SHEET NO.
A201



Excerpts from the November 13, 2018 Regular Council Meeting

13.1 Application to Amend Zoning Bylaw No. 1160, 2013 (1672 Cedar Road)

John Towgood, Planner 1

Bruce Greig, Manager of Community Planning, presented an overview of the development application to rezone 1672 Cedar Road to permit a live/work space on the ground level.

It was moved by Councillor McEwen and seconded by Councillor Hoar

THAT Council approve recommendation 1 of legislation item, "Application to Amend Zoning Bylaw No. 1160, 2013 (1672 Cedar Road), which states:

1. *THAT District of Ucluelet Zoning Bylaw Amendment Bylaw No. 1239, 2018 be given first and second reading and advanced to a public hearing.*